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Agenda item 72 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Austria, Chile, Colombia, Cyprus, Denmark, Finland, Georgia, Honduras, Iceland, Liberia, Liechtenstein, Luxembourg, Monaco, Nigeria, Norway and Ukraine: draft resolution

Protection of and assistance to internally displaced persons

The General Assembly,

Recalling that internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border,[1]

Recognizing that internally displaced persons are to enjoy, in full equality, the same rights and freedoms under international and domestic law as do other persons in their country,

Deeply disturbed by the alarmingly high numbers of internally displaced persons throughout the world, for reasons including violations and abuses of human rights and violations of international humanitarian law, armed conflict, persecution, violence and other reasons, including terrorism, as well as natural and human-made disasters, who receive inadequate protection and assistance, and conscious of the serious challenges that this is creating for national Governments and the international community,

Mindful of the large and growing expenditure for humanitarian assistance in persons in protracted internal displacement situations and of the need to optimize cost-effectiveness,

[1] See Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2, annex), introduction, para. 2.

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Recognizing the large number of people who are displaced within national borders and the possibility that such persons might seek protection and assistance in other countries as refugees or migrants,

Noting that the many and varied underlying causes of involuntary internal displacement and of refugee movements are similar in numerous cases,

Recognizing that the connections between inadequate assistance to internally displaced persons and increased numbers of refugees and cross-border migrants require further documentation, and the need for improved data in this regard,

Recognizing also the increase in the number and scale of disasters, including those related to the adverse effects of climate change, which in certain instances may contribute to displacement and additional pressure on host communities,

Recognizing further that on average 25.3 million people are displaced each year by sudden-onset disasters, and that disaster risk reduction and climate change adaptation measures can reduce disaster displacement risk, including through integrating disaster risk reduction strategies into national, regional and global development policies and programmes,

Recognizing that internally displaced persons can be exposed to increased vulnerability when their host communities are affected by disasters,

Conscious of the human rights, humanitarian and development dimensions, as well as the possible peacebuilding and transitional justice dimensions, of internal displacement, including in protracted displacement situations, the often heightened vulnerability of women and children as well as older persons and persons with disabilities and the responsibilities of States and the international community to further strengthen their protection and assistance, including by respecting and protecting the human rights and fundamental freedoms of all internally displaced persons, with a view to finding durable solutions,

Recognizing that large-scale, protracted internal displacement also negatively affects a country's ability to achieve its overall development goals, including the 2030 Agenda for Sustainable Development,[2]

Emphasizing that States have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction, without discrimination, as well as to address the root causes of the displacement problem and support durable solutions in appropriate cooperation with civil society organizations, the private sector and the international community,

Reaffirming that all persons, including those who are internally displaced, have the right to freedom of movement and residence and should be protected against arbitrary displacement,

Noting the need for increased awareness by the international community of the issue of internal displacement worldwide, including the situation of millions living in protracted situations of displacement, many of them outside camp settings and in urban areas, and the urgency of providing adequate humanitarian assistance to and protection for internally displaced persons, ensuring protection from landmines and other explosive remnants of war, supporting local host communities, and addressing the root causes of displacement,

Noting also the need for finding durable solutions for internally displaced persons in their countries and addressing possible obstacles in this regard, and recognizing that durable solutions include voluntary return in safety and with

[2] Resolution 70/1.

dignity, as well as voluntary local integration in the areas to which persons have been displaced or voluntary settlement in another part of the country, without prejudice to the right of internally displaced persons to leave their country or to seek asylum,

Emphasizing that ensuring durable solutions for internally displaced persons, including the right of voluntary return in safety and with dignity, should involve the timely engagement of humanitarian, development, human rights and peacebuilding actors, and recalling that the search for durable solutions to and the progressive resolution of displacement situations starts during displacement and is a complex process that occurs over many years,

Recalling the relevant norms of international law, including international human rights law, international humanitarian law and international refugee law, and recognizing that the protection of internally displaced persons has been strengthened by identifying, reaffirming and consolidating specific standards for their protection, in particular through the Guiding Principles on Internal Displacement,[3]

Recalling also the relevance of international humanitarian law, including the Geneva Conventions of 1949[4] and the Additional Protocols thereto of 1977,[5] as a vital legal framework for the protection of and assistance to civilians in armed conflict and under foreign occupation, including internally displaced persons,

Recognizing that violations of international humanitarian law can cause displacement, and recalling that displacement could be reduced if international humanitarian law was respected by all parties to armed conflict, in particular the fundamental principles of distinction, proportionality and precaution, as well as the prohibition of forced displacement of the civilian population, unless the security of the civilians involved or imperative military reasons so demand,[6]

Welcoming the increasing dissemination, promotion, application and integration into domestic laws and policies of the Guiding Principles on Internal Displacement when dealing with situations of internal displacement,

Deploring practices of forced displacement and their negative consequences for the enjoyment of human rights and fundamental freedoms by large groups of populations, and recalling the relevant provisions of the Rome Statute of the International Criminal Court that define the deportation or forcible transfer of population as a crime against humanity and the unlawful deportation, transfer or ordering of the displacement of the civilian population as war crimes,[7]

Expressing its appreciation to those Governments and intergovernmental, regional and non-governmental organizations that have supported and facilitated the work of the Special Rapporteurs of the Human Rights Council on the human rights of internally displaced persons, and of their predecessors, the former Representatives of the Secretary-General on the human rights of internally displaced persons, and, according to their roles and responsibilities, have helped to provide protection and assistance to internally displaced persons,

Welcoming the continuing cooperation between the Special Rapporteur and national Governments and the relevant offices and agencies of the United Nations as well as with other international and regional organizations, and encouraging further

[3] E/CN.4/1998/53/Add.2, annex.
[4] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.
[5] Ibid., vol. 1125, Nos. 17512 and 17513.
[6] Ibid., vol. 1125, No. 17513, arts. 13 and 17.
[7] Ibid., vol. 2187, No. 38544, art. 7, paras. 1 (d) and 2 (d), and art. 8, paras. 2 (a) (vii) and 2 (e) (viii).

strengthening of this collaboration in order to promote better strategies for, protection of, assistance to and durable solutions for internally displaced persons,

Acknowledging with appreciation the important and independent contribution of the International Red Cross and Red Crescent Movement and other humanitarian agencies in protecting and assisting internally displaced persons, in cooperation with national Governments and relevant international bodies,

Welcoming the priorities set by the Special Rapporteur as contained in her report to the Human Rights Council at its thirty-fifth session[8] and the two strategic objectives of supporting the implementation of key international, regional and national frameworks on internal displacement and facilitating durable solutions for internally displaced persons from the very outset of displacement, including through the engagement of development actors,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[9] regarding the need to develop global strategies to address the problem of internal displacement, and recalling also all relevant resolutions of the General Assembly and the Security Council,

Recalling also its resolution 70/165 of 17 December 2015 and Human Rights Council resolution 32/11 of 1 July 2016,[10]

Reaffirming its resolution 46/182 of 19 December 1991 and the guiding principles contained in the annex thereto, other relevant General Assembly and Economic and Social Council resolutions and agreed conclusions of the Council, reaffirming also the principles of humanity, neutrality, impartiality and independence in the provision of humanitarian assistance, and reaffirming further the need for all actors engaged in the provision of humanitarian assistance in situations of complex emergencies and disasters to promote and fully respect these principles,

1. *Takes note with appreciation* of the report of the Special Rapporteur of the Human Rights Council on the human rights of internally displaced persons[11] and the conclusions and recommendations contained therein;

2. *Commends* the Special Rapporteur for the activities undertaken so far, for the catalytic role that she plays in raising the level of awareness about the plight of internally displaced persons and for her ongoing efforts to address their development and other specific needs, including through the mainstreaming of the human rights of internally displaced persons into all relevant parts of the United Nations system;

3. *Encourages* the Special Rapporteur, through continuous dialogue with Governments and all intergovernmental and non-governmental organizations concerned, to continue her analysis of the root causes of internal displacement and of the needs and human rights of those who are displaced, measures of prevention, including early warning, and ways to strengthen monitoring, protection and assistance, as well as durable solutions for internally displaced persons, including addressing possible obstacles to the exercise of land and property rights for internally displaced persons, and, in the latter regard, to use in her activities the Framework on Durable Solutions for Internally Displaced Persons of the Inter-

[8] A/HRC/35/27.

[9] A/CONF.157/24 (Part I), chap. III.

[10] See Official Records of the General Assembly, Seventy-first Session, Supplement No. 53 (A/71/53), chap. V, sect. A.

[11] A/HRC/35/27.

Agency Standing Committee,[12] and also encourages the Special Rapporteur to continue to advocate the needs of host communities and to promote comprehensive strategies, taking into account the primary responsibility of States for the protection of and assistance to internally displaced persons within their jurisdiction;

4. *Recognizes* the adverse effects of climate change as contributors to environmental degradation and extreme weather events, which may, among other factors, contribute to human displacement, and in this regard notes the successful adoption of the Sendai Framework for Disaster Risk Reduction 2015–2030[13] in March 2015 and the Paris Agreement under the United Nations Framework Convention on Climate Change in December 2015, the global consultation of the Nansen Initiative, held in Geneva on 12 and 13 October 2015, at which, inter alia, issues relevant to internal displacement were discussed, and the subsequent setting up of the Platform on Disaster Displacement, and encourages the Special Rapporteur, in close collaboration with States and intergovernmental and non-governmental organizations, to continue to explore the human rights implications and dimensions of disaster-induced internal displacement, with a view to supporting Member States in their efforts to build local resilience and capacity to prevent displacement or to provide assistance through well-planned recovery programmes that support displaced communities and their hosts and provide protection to those who are forced to flee;

5. *Also recognizes* that internal displacement is not only a humanitarian but also a development challenge, calls upon States to provide durable solutions and address possible obstacles in this regard, and to include the needs, vulnerabilities and capacities of internally displaced persons in their national development plans;

6. *Encourages* closer cooperation between development and humanitarian actors, in coordination with Member States, to ensure that all relevant actors work together, in accordance with their mandates, towards common results with the aim of reducing need, vulnerability and risk over multiple years, based on shared understanding of the context and each actor's operational strengths, in support of national priorities, while fully respecting the importance of humanitarian principles for humanitarian action;

7. *Urges* all countries to integrate the 2030 Agenda for Sustainable Development[14] into their respective national policies and development frameworks, as appropriate, and recalls that the 2030 Agenda seeks to address the needs of the most vulnerable, including internally displaced persons;

8. *Requests* Member States to strengthen their efforts to ensure the protection of and better assistance to internally displaced persons, in particular to address the challenges of protracted displacement, by adopting and implementing gender-sensitive policies and strategies, in accordance with national and regional frameworks, while recognizing the Guiding Principles on Internal Displacement[5] as an important international framework for the protection of internally displaced persons, and in this regard recognizes the central role of national and local authorities and institutions in addressing the specific needs of internally displaced persons and in finding solutions to displacement through, inter alia, continued and enhanced international support, upon request, for the capacity-building of States;

9. *Encourages* the Special Rapporteur, Member States, United Nations organizations, regional organizations, national human rights institutions as well as non-governmental organizations and other stakeholders to mark the twentieth

[12] A/HRC/13/21/Add.4.
[13] Resolution 69/283, annex II.
[14] Resolution 70/1.

anniversary of the Guiding Principles on Internal Displacement to further demonstrate effective practices in addressing challenges on internal displacement;

10. *Encourages* strengthened international cooperation, in particular between humanitarian and development actors, including through the provision of resources, coherent multi-year planning that addresses protracted displacement and expertise to assist affected countries, in particular developing countries, in their national efforts and policies related to assistance, protection, resilience-building and rehabilitation for internally displaced persons and host communities, as appropriate, and the integration of the human rights and needs of internally displaced persons into both rural and urban development strategies, as well as the participation of both internally displaced persons and host communities in the design and implementation of those strategies;

11. *Recognizes* that Member States have the primary responsibility to promote durable solutions for their internally displaced persons, thus contributing to their national, economic and social development processes, and encourages the international community, the United Nations system, the Special Rapporteur, relevant international and regional organizations and donor countries to continue to support international, regional and national efforts to meet the needs and fulfil the human rights of internally displaced persons on the basis of solidarity, the principles of international cooperation and the Guiding Principles on Internal Displacement, to ensure that humanitarian assistance, early recovery and development assistance efforts are appropriately funded;

12. *Welcomes* the initiatives undertaken by regional organizations, such as the African Union, the International Conference on the Great Lakes Region, the Organization of American States and the Council of Europe, to address the protection, assistance and development needs of internally displaced persons and to find durable solutions for them, and encourages regional organizations to strengthen their activities and their cooperation with the Special Rapporteur;

13. *Expresses deep concern* at the threat caused by landmines, explosive remnants of war and improvised explosive devices to internally displaced persons fleeing conflict, impeding, in certain instances, their voluntary return, local integration and resettlement and the safe delivery of humanitarian assistance;

14. *Welcomes* the adoption and entry into force of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), which builds on the Protocol on the Protection of and Assistance to Internally Displaced Persons and the Protocol on the Property Rights of Returning Persons adopted by the International Conference on the Great Lakes Region and which marks a significant step towards strengthening the national and regional normative framework for the protection of and assistance to internally displaced persons in Africa, welcomes the recent ratification of the Convention by several States and the holding of the first Conference of States Parties to the Convention in April 2017, encourages African States to sign and/or ratify the Convention, and encourages other regional mechanisms to develop their own regional normative frameworks for the protection of internally displaced persons;

15. *Calls upon* all parties to armed conflict to comply with their obligations under international humanitarian law, and international human rights law, as applicable, with a view to preventing forced displacement and promoting the protection of civilians, and calls upon Governments to take measures to respect and protect the human rights of all internally displaced persons, without distinction of any kind, in accordance with their applicable obligations under international law;

16. *Expresses particular concern* that many internally displaced children, particularly girls, lack access to education in all phases of displacement owing to attacks against schools, damaged or destroyed school buildings, insecurity, loss of documentation, language barriers and discrimination, calls upon States, in cooperation with all other relevant actors, including humanitarian and development agencies and donors, to ensure the right to a quality education, including primary and secondary education, for internally displaced children, without discrimination of any kind, as well as to support existing schools to enable them to include internally displaced persons, calls upon all parties to armed conflict to respect the civilian character of schools and other educational institutions and to refrain from undertaking actions that could adversely affect the protection of these buildings against direct attacks, and strongly condemns all attacks, as well as threats of attack, against schools, in contravention of international humanitarian law;

17. *Also expresses particular concern* about the full range of threats, violations and abuses of human rights and violations of international humanitarian law experienced by many internally displaced persons, including women and children, who are particularly vulnerable or specifically targeted especially for sexual and gender-based violence and sexual exploitation and abuse, trafficking in persons, forced recruitment and abduction, encourages the continued commitment of the Special Rapporteur to promote action to address their particular assistance and protection needs, and calls upon States, in cooperation with international agencies and other stakeholders, to provide protection and assistance to internally displaced persons who are victims of the above-mentioned threats, violations and abuses, as well as other groups of internally displaced persons with special needs, such as severely traumatized individuals, older persons and persons with disabilities, taking into account all relevant resolutions of the General Assembly and the Security Council;

18. *Emphasizes* the importance of communication and consultation with internally displaced persons and host communities by Governments and other relevant actors, in accordance with their specific mandates, during all phases of displacement, as well as the participation of internally displaced persons, where appropriate, in policies, programmes and activities pertaining to them, taking into account the primary responsibility of States for the protection of and assistance to internally displaced persons within their jurisdiction;

19. *Calls upon* States, in cooperation with international agencies and other stakeholders, to provide for and support, in particular, the full and meaningful participation of internally displaced women at all levels of decision-making processes and in all activities that have a direct impact on their lives, in all aspects of internal displacement, including the promotion and protection of human rights, the prevention of human rights violations and the design and implementation of durable solutions, peace processes, peacebuilding, transitional justice, post-conflict reconstruction and development;

20. *Notes* the importance of taking the human rights and the specific protection and assistance needs of internally displaced persons into consideration, when appropriate, in peace processes, and emphasizes that durable solutions for internally displaced persons, including through voluntary return, sustainable reintegration, rehabilitation and reconciliation processes and their active participation, as appropriate, in the peace process are necessary elements of effective peacebuilding;

21. *Welcomes* the role of the Peacebuilding Commission in this regard, and continues to urge the Commission to intensify its efforts, within its mandate, in cooperation with national and transitional Governments and in consultation with the

relevant United Nations entities, to incorporate the rights and the specific needs of internally displaced persons, including their voluntary return in safety and with dignity, reintegration and rehabilitation, as well as related land and property issues, when advising on or proposing country-specific peacebuilding strategies for post-conflict situations in cases under consideration;

22. *Encourages* the international community to provide technical cooperation to States affected by displacement, upon their request, including for the training of staff members of institutions in charge of registration and development of national laws and policies on internal displacement and issues related to land and property restitution and compensation;

23. *Welcomes* the fact that an increasing number of States, United Nations organizations and regional and non-governmental organizations are applying the Guiding Principles on Internal Displacement as a standard, and encourages all relevant actors to make use of the Guiding Principles when dealing with situations of internal displacement;

24. *Also welcomes* the use of the Guiding Principles on Internal Displacement by the Special Rapporteur in her dialogue with Governments, intergovernmental and non-governmental organizations and other relevant actors, and requests her to continue her efforts to further the dissemination, promotion, application and integration into domestic laws and policies of the Guiding Principles and to provide support for efforts to promote capacity-building and the use of the Guiding Principles, as well as the development of domestic legislation and policies;

25. *Expresses its appreciation* for the fact that an increasing number of States have adopted domestic legislation and policies dealing with all stages of displacement, encourages States to continue to do so in an inclusive and non-discriminatory way, consistent with the Guiding Principles on Internal Displacement, urges States to increase their efforts to implement such domestic laws and policies, including through the identification of national focal points within Governments for issues of internal displacement, in particular for setting national targets and indicators for policy and programmes, and for the allocation of budget resources, and encourages the international community and national actors to provide financial support and cooperation to Governments, upon request, in this regard;

26. *Urges* all Governments to continue to facilitate the activities of the Special Rapporteur, in particular Governments with situations of internal displacement, and to respond favourably to requests from the Special Rapporteur for visits, as well as to invite the Rapporteur to visit their country when appropriate, so as to enable her to continue and enhance dialogue with Governments in addressing situations of internal displacement, and thanks those Governments that have already done so;

27. *Invites* Governments to give serious consideration, in dialogue with the Special Rapporteur, to the recommendations and suggestions addressed to them, in accordance with her mandate, and to inform her of measures taken thereon;

28. *Calls upon* Governments to provide protection and assistance, including reintegration and development assistance, to internally displaced persons and to facilitate the efforts of the relevant United Nations agencies and humanitarian organizations in this regard by ensuring the safe and unhindered access of humanitarian personnel and the delivery of supplies and equipment to internally displaced persons and by maintaining the civilian and humanitarian character of camps and settlements for internally displaced persons, where they exist, as well as

by taking the steps necessary to ensure the safety and security of humanitarian personnel so that they may efficiently perform their task of assisting internally displaced persons;

29. *Emphasizes* the central role of the Emergency Relief Coordinator for the coordination of, protection of and assistance to internally displaced persons, inter alia, through the inter-agency cluster system, welcomes continued initiatives taken in order to ensure better protection, assistance and development strategies for internally displaced persons, as well as better coordination of activities regarding them, and emphasizes the need to strengthen the capacities of national and local authorities, United Nations organizations and other relevant actors to meet the immense humanitarian challenges of internal displacement;

30. *Encourages* all relevant United Nations organizations and humanitarian assistance, human rights and development organizations to enhance their collaboration and coordination through the Inter-Agency Standing Committee and United Nations country teams in countries with situations of internal displacement and to provide all possible assistance and support to the Special Rapporteur, and requests the continued participation of the Special Rapporteur in the work of the Inter-Agency Standing Committee and its subsidiary bodies;

31. *Encourages* Member States, humanitarian agencies, donors, development actors and other providers of development assistance to continue to work together to reduce internal displacement globally and, in close cooperation with the Special Rapporteur, to provide a more predictable response to the needs of internally displaced persons, including long-term development assistance for the implementation of durable solutions, takes note of the decision of the Policy Committee of the Secretary-General of 4 October 2011 endorsing the preliminary framework on ending displacement in the aftermath of conflict, notes the rolling out of the decision in selected countries and the lessons learned in that regard, and calls for United Nations agencies implementing the decision to cooperate closely with the Special Rapporteur in that regard and to use the Inter-Agency Standing Committee Framework on Durable Solutions for Internally Displaced Persons in a manner that complements the decision of the Policy Committee;

32. *Notes with appreciation* the increased attention paid to the issue of internally displaced persons in humanitarian response plans, and encourages further efforts in this regard;

33. *Expresses deep concern* at the insufficient funding levels of humanitarian appeals, and in this respect urges all relevant actors to provide the relevant United Nations development agencies and humanitarian organizations with sufficient and predictable resources to ensure adequate support for those who are forcibly displaced;

34. *Notes with appreciation* the increasing role of national human rights institutions in assisting internally displaced persons and in promoting and protecting their human rights;

35. *Recognizes* the need to collect reliable, timely, longitudinal and disaggregated data, including data disaggregated by sex, age, and location, on internally displaced persons and the impact of protracted displacement on host communities in order to improve policy, programming and response to internal displacement and, in this respect, the relevance of the Global Internal Displacement Database maintained by the Internal Displacement Monitoring Centre and of the inter-agency Joint Internally Displaced Person Profiling Service;

36. *Encourages* Member States, members of the Inter-Agency Standing Committee, United Nations humanitarian coordinators and country teams to

collaborate with and support the Internal Displacement Monitoring Centre in its mandate to present a global picture of the scale and nature of internal displacement, including through developing common standards on data collection and analysis, and to ensure that reliable and longitudinal data on internal displacement situations are provided to the Internal Displacement Monitoring Centre and the Joint Internally Displaced Person Profiling Service, and to provide financial resources in these respects;

37. *Encourages* international and national data collection agencies to collaborate and align their data collection systems and methods to ensure consistent and interoperable data on internally displaced persons, refugees, asylum seekers and international migrants, and to facilitate more coordinated responses across the entire displacement and migration trajectory;

38. *Affirms* the need for effective implementation of the Sendai Framework for Disaster Risk Reduction 2015–2030[15] to integrate post-disaster reconstruction and recovery, including the principle of "build back better", into the economic and social sustainable development of affected areas, as well as temporary settlements where the displaced live, to promote regular disaster preparedness, response and recovery into resettlement efforts with a view to ensuring rapid and effective response to disasters and related displacement and to promote transboundary cooperation to build resilience and reduce disaster risk, including displacement risk;

39. *Welcomes* the various outcomes agreed and launched at the World Humanitarian Summit in Istanbul, Turkey, on 23 and 24 May 2016, which present opportunities, inter alia, to strengthen the partnerships between Member States and humanitarian and development actors in addressing the emergency and long-term needs of internally displaced persons and improving the humanitarian financing for addressing internal displacement;

40. *Encourages* Member States to work closely with the United Nations and other relevant actors, including the private sector and local entities, as appropriate, to promote more effective emergency preparedness and response in urban areas, and notes the importance of addressing, as appropriate, the particular needs and vulnerabilities of internally displaced persons in urban settings;

41. *Encourages* Governments, United Nations agencies and other stakeholders to promote an inclusive approach to durable solutions that addresses the needs of internally displaced persons and their host communities, including the promotion of opportunities to fully harness the human potential of the displaced populations by promoting self-sufficiency through income-generating activities and sustainable livelihood opportunities;

42. *Recalls* the New York Declaration for Refugees and Migrants,[16] and in particular the need stated in paragraph 20 thereof for reflection on effective strategies to ensure adequate protection and assistance for internally displaced persons and to prevent and reduce such displacement, also recalls the anniversary of the Guiding Principles on Internal Displacement in 2018, and urges the Secretary-General to work with Member States and the United Nations system to identify a collective vision for addressing the long-term needs of internally displaced persons and supporting the communities that host them, and to drive forward a sustained political effort to translate that vision into a concrete United Nations system-wide plan of action to improve the lives of many millions of internally displaced persons, in a way that complies with international conventions and is underpinned by strong

[15] Resolution 69/283, annex II.

[16] Resolution 71/1.

national policies and comprehensive, appropriate and coordinated international assistance;

43. *Requests* the Secretary-General to continue to provide the Special Rapporteur, from within existing resources, with all assistance necessary to strengthen and carry out her mandate effectively, and encourages the Office of the United Nations High Commissioner for Human Rights, in close cooperation with the Emergency Relief Coordinator, the Office for the Coordination of Humanitarian Affairs of the Secretariat, the Office of the United Nations High Commissioner for Refugees and all other relevant United Nations offices and agencies, including in addition the International Organization for Migration as a related organization to the United Nations since 19 September 2016, to continue to support and cooperate with the Special Rapporteur;

44. *Encourages* the Special Rapporteur to continue to seek the contributions of States, relevant organizations and institutions in order to create a more stable basis for her work;

45. *Requests* the Special Rapporteur to submit to the General Assembly at its seventy-third and seventy-fourth sessions a report on the implementation of the present resolution;

46. *Decides* to continue its consideration of the question of protection of and assistance to internally displaced persons at its seventy-fourth session.

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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Argentina, Australia, Austria, Belgium, Canada, Central African Republic, Chile, Colombia, Cyprus, Czechia, Denmark, Finland, Georgia, Honduras, Iceland, Liberia, Liechtenstein, Luxembourg, Micronesia (Federated States of), Monaco, Netherlands, Nigeria, Norway, Switzerland, the former Yugoslav Republic of Macedonia and Ukraine: revised draft resolution

Protection of and assistance to internally displaced persons

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling that internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border,[1]

Recognizing that internally displaced persons are to enjoy, in full equality, the same rights and freedoms under international and domestic law as do other persons in their country,

Deeply disturbed by the alarmingly high numbers of internally displaced persons throughout the world, for reasons including violations and abuses of human rights and violations of international humanitarian law, armed conflict, persecution, violence and other reasons, including terrorism, as well as natural and human-made disasters, who receive inadequate protection and assistance, and conscious of the serious challenges that this is creating for host communities, national and local authorities and the international community,

[1] See Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2, annex), introduction, para. 2.

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Mindful of the significant humanitarian assistance required to meet the needs of people in protracted situations of internal displacement and of the large gap between needs and resources,

Recalling the very large number of people who are displaced within national borders and the potential for such persons to seek protection and assistance in other countries as refugees or migrants, and noting the need for reflection on effective strategies to ensure adequate protection and assistance for internally displaced persons in this regard, including the need for comprehensive and disaggregated data and other measures aimed at preventing and reducing such displacements,

Recognizing the increase in the number and scale of natural disasters, including those related to the adverse effects of climate change, which in certain instances may contribute to displacement and additional pressure on host communities, encouraging the United Nations and all relevant actors to strengthen efforts in cooperation with national Governments aimed at addressing the needs of persons displaced internally by natural disasters, including those exacerbated by climate change, and noting in this regard the importance of sharing best practices to prevent and prepare for such displacements,

Expressing concern that many millions of people are displaced each year by sudden-onset disasters, and recognizing that disaster risk reduction and climate-change adaptation measures can reduce disaster displacement risk, including through integrating disaster risk reduction strategies into national, regional and global development policies and programmes,

Recognizing that the vulnerability of internally displaced persons can increase when their host communities are affected by disasters,

Conscious of the human rights, humanitarian and development dimensions, as well as the possible peacebuilding and transitional justice dimensions, of internal displacement, including in protracted displacement situations, and the responsibilities of States, with the support of the international community, to ensure the provision of protection and assistance, including by respecting and protecting the human rights and fundamental freedoms of all internally displaced persons, with a view to finding durable solutions,

Conscious also of the specific needs of those who may be particularly vulnerable, including women, children, older persons and persons with disabilities, and the need to ensure that their specific needs are met through the provision of adequate protection and access to assistance,

Recognizing that the 2030 Agenda for Sustainable Development[2] seeks to address the needs of the most vulnerable, including internally displaced persons, and that addressing the needs of internally displaced persons can help countries to achieve their overall development goals,

Emphasizing that States have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction, without discrimination, as well as to address the root causes of the displacement problem and support all durable solutions in appropriate cooperation with those displaced, their hosts, civil society, local authorities, development actors, the private sector and the international community,

Reaffirming that all persons, including those who are internally displaced, without discrimination, have the right to freedom of movement and residence and should be protected against arbitrary displacement,

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[2] Resolution 70/1.

Noting the need to address the root causes of displacement and for increased awareness by the international community of the issue of internal displacement worldwide, including the situation of millions living in protracted situations of displacement, many of them outside camp settings and in urban areas, and the urgency of providing adequate humanitarian assistance and protection to internally displaced persons, ensuring protection from landmines and other explosive remnants of war and supporting host communities and local organizations,

Noting also the need for finding durable solutions for internally displaced persons in their countries and addressing possible obstacles in this regard, and recognizing that durable solutions include voluntary and sustainable return in safety and with dignity, and voluntary local integration in the areas to which persons have been displaced or voluntary settlement in another part of the country, without prejudice to the right of internally displaced persons to leave their country or to seek asylum,

Recognizing the important contribution by national and local authorities and host communities to protecting and assisting internally displaced persons, acknowledging that the hosting of large groups of internally displaced persons can put pressure on them, and recognizing also the importance of supporting host communities, as well as local capacities, in addressing their needs,

Emphasizing that all durable solutions for internally displaced persons should be approached from a humanitarian and development perspective and involve the timely engagement of internally displaced persons and host communities,

Underlining the necessity of safe and unhindered humanitarian access of the relevant United Nations agencies and humanitarian organizations to internally displaced persons, including those residing in conflict areas, in accordance with international law,

Expressing particular concern at the increased level of discrimination experienced by internally displaced persons,

Recalling the relevant norms of international law, including international human rights law, international humanitarian law and international refugee law, and recognizing that the protection of internally displaced persons has been strengthened by identifying, reaffirming and consolidating specific standards for their protection, in particular through the Guiding Principles on Internal Displacement,[3]

Recalling also the relevance of international humanitarian law, including the Geneva Conventions of 1949[4] and the Additional Protocols thereto of 1977,[5] as a vital legal framework for the protection of and assistance to civilians in armed conflict and under foreign occupation, including internally displaced persons,

Recognizing that violations of international humanitarian law can cause displacement, and recalling that displacement could be reduced if international humanitarian law was respected by all parties to armed conflict, in particular the fundamental principles of distinction, proportionality and precaution, as well as the prohibition of forced displacement of the civilian population, unless the security of the civilians involved or imperative military reasons so demand,[6]

Welcoming the increasing dissemination, promotion, application and integration into domestic laws and policies of the Guiding Principles on Internal Displacement when dealing with situations of internal displacement,

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[3] E/CN.4/1998/53/Add.2, annex.

[4] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[5] Ibid., vol. 1125, Nos. 17512 and 17513.

[6] Ibid., vol. 1125, No. 17513, arts. 13 and 17.

Recognizing that 2018 marks the twentieth anniversary of the Guiding Principles on Internal Displacement, and acknowledging that this offers an important opportunity to raise awareness of these standards and of the plight of internally displaced persons in all regions of the world,

Deploring practices of forced displacement and their negative consequences for the enjoyment of human rights and fundamental freedoms by large groups of populations, and recalling the relevant provisions of the Rome Statute of the International Criminal Court that define the deportation or forcible transfer of population as a crime against humanity and the unlawful deportation, transfer or ordering of the displacement of the civilian population as war crimes,[7]

Expressing its appreciation to those Governments and intergovernmental, regional and non-governmental organizations that have supported and facilitated the work of the Special Rapporteur of the Human Rights Council on the human rights of internally displaced persons, and of her predecessors, the former Representatives of the Secretary-General on the human rights of internally displaced persons, and, according to their roles and responsibilities, have helped to provide protection and assistance to internally displaced persons,

Welcoming the continuing cooperation between the Special Rapporteur and national Governments and the relevant offices and agencies of the United Nations as well as with other international and regional organizations, and encouraging further strengthening of this collaboration in order to promote better strategies for, protection of, assistance to and durable solutions for internally displaced persons,

Acknowledging with appreciation the important and independent contribution of the International Red Cross and Red Crescent Movement and other humanitarian agencies in protecting and assisting internally displaced persons, in cooperation with national Governments and relevant international bodies,

Welcoming the priorities set by the Special Rapporteur as contained in the report to the Human Rights Council at its thirty-fifth session[8] and the two strategic objectives of supporting Governments in developing national instruments and institutions on internal displacement and facilitating viable, durable solutions for internally displaced persons, including through the engagement of development actors,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[9] regarding the need to develop global strategies to address the problem of internal displacement, and recalling also all relevant resolutions of the General Assembly and the Security Council,

Recalling also its resolution 70/165 of 17 December 2015 and Human Rights Council resolution 32/11 of 1 July 2016,[10]

Reaffirming its resolution 46/182 of 19 December 1991 and the guiding principles contained in the annex thereto, other relevant General Assembly and Economic and Social Council resolutions and agreed conclusions of the Council, reaffirming also the principles of humanity, neutrality, impartiality and independence in the provision of humanitarian assistance and reaffirming further the need for all

[7] Ibid., vol. 2187, No. 38544, art. 7, paras. 1 (d) and 2 (d), and art. 8, paras. 2 (a) (vii) and 2 (e) (viii).
[8] A/HRC/35/27.
[9] A/CONF.157/24 (Part I), chap. III.
[10] See *Official Records of the General Assembly, Seventy-first Session, Supplement No. 53* (A/71/53), chap. V, sect. A.

actors engaged in the provision of humanitarian assistance in situations of complex emergencies and natural disasters to promote and fully respect these principles,

1. *Takes note with appreciation* of the report of the Special Rapporteur of the Human Rights Council on the human rights of internally displaced persons[11] and the conclusions contained therein;

2. *Commends* the Special Rapporteur for the activities undertaken so far, for the catalytic role that she plays in raising the level of awareness about the plight of internally displaced persons and for her ongoing efforts to address their development and other specific needs, including through the mainstreaming of the human rights of internally displaced persons into all relevant parts of the United Nations system;

3. *Encourages* the Special Rapporteur, through continuous dialogue with Governments and all intergovernmental and non-governmental organizations concerned, to continue her analysis of the reasons for internal displacement and to remain apprised of the needs and human rights of those who are displaced, including the needs of those who may be in particularly vulnerable situations, including women, children, older persons and persons with disabilities, the level of emergency preparedness and ways to strengthen protection and assistance, including by enhancing the role of national human rights institutions, where appropriate, and the protection of internally displaced persons, as well as durable solutions for internally displaced persons, including addressing possible obstacles to the exercise of housing, land and property rights for internally displaced persons, and, in the latter regard, also encourages the Special Rapporteur to use in her activities the Framework on Durable Solutions for Internally Displaced Persons of the Inter-Agency Standing Committee,[12] and further encourages her to continue to advocate the needs of host communities and promote comprehensive strategies, taking into account the primary responsibility of States for the protection of and assistance to internally displaced persons within their jurisdiction;

4. *Recognizes* the adverse effects of climate change as contributors to environmental degradation and extreme weather events, which may, among other factors, contribute to human displacement, and in this regard notes the adoption of the Sendai Framework for Disaster Risk Reduction 2015–2030[13] in March 2015, the Paris Agreement on climate change[14] in December 2015 and relevant initiatives related to internal displacement, such as the Nansen Initiative, and their follow-up, and encourages the Special Rapporteur, in close collaboration with States and intergovernmental and non-governmental organizations, to continue to explore the human rights implications and dimensions of disaster-induced internal displacement, with a view to supporting Member States in their efforts to build local resilience and capacity to prevent and prepare for displacement or to provide assistance through well-planned recovery programmes that support internally displaced persons and their hosts and provide protection to those who are forced to flee;

5. *Also recognizes* that internal displacement is not only a humanitarian but also a development challenge, and calls upon States to provide durable solutions and address possible obstacles in this regard and to include the needs, vulnerabilities and capacities of internally displaced persons and host communities in their national development plans;

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[11] A/HRC/35/27.

[12] A/HRC/13/21/Add.4.

[13] Resolution 69/283, annex II.

[14] See FCCC/CP/2015/10/Add.1, decision 1/CP.21, annex.

6. *Encourages* closer cooperation between development and humanitarian actors, in accordance with their respective mandates, towards collective results over multiple years with the aim of reducing the needs and vulnerabilities of internally displaced persons, in support of national priorities, while fully respecting the importance of humanitarian principles for humanitarian action;

7. *Urges* all countries to integrate the 2030 Agenda for Sustainable Development[2] into their respective national policies and development frameworks, as appropriate, and recalls that the 2030 Agenda seeks to address the needs of the most vulnerable, including internally displaced persons;

8. *Requests* Member States to strengthen their efforts to ensure the protection of and better assistance to internally displaced persons, in particular to address the challenges of protracted displacement, by adopting and implementing gender-sensitive policies and strategies, in accordance with national and regional frameworks, while recognizing the Guiding Principles on Internal Displacement[3] as an important international framework for the protection of internally displaced persons, and in this regard recognizes the central role of national and local authorities and institutions in addressing the specific needs of internally displaced persons and in finding solutions to displacement through, inter alia, continued and enhanced international support, upon request, for the capacity-building of States;

9. *Encourages* Member States, United Nations organizations, the Special Rapporteur, regional organizations and national human rights institutions, as well as non-governmental organizations and other stakeholders, to mark the twentieth anniversary of the Guiding Principles on Internal Displacement so as to further demonstrate and strengthen collaboration on practices in addressing the challenges of internal displacement;

10. *Encourages* strengthened international cooperation, in particular between humanitarian and development actors, including through the provision of resources, coherent multi-year planning that addresses protracted displacement and expertise to assist affected countries, in particular developing countries, in their national efforts and policies related to assistance, protection, resilience-building and rehabilitation for internally displaced persons and host communities, as appropriate, and the integration of the human rights and needs of internally displaced persons into both rural and urban development strategies, as well as the participation of both internally displaced persons and host communities in the design and implementation of those strategies;

11. *Recognizes* that Member States have the primary responsibility to promote durable solutions for their internally displaced persons, as well as to respect, protect and fulfil their human rights, thus contributing to their national, economic and social development processes, and encourages the international community, the United Nations system, the Special Rapporteur, relevant international and regional organizations and donor countries to continue to support international, regional and national efforts to meet the needs and fulfil the human rights of internally displaced persons on the basis of solidarity, the principles of international cooperation and the Guiding Principles on Internal Displacement, to ensure that humanitarian assistance, early recovery and development assistance efforts are appropriately funded;

12. *Expresses deep concern* at the threat posed by landmines, explosive remnants of war and improvised explosive devices to internally displaced persons fleeing conflict, impeding, in certain instances, their voluntary return, local integration and resettlement and the safe delivery of humanitarian assistance;

13. *Welcomes* the initiatives undertaken by regional organizations, such as the African Union, the International Conference on the Great Lakes Region, the Organization of American States and the Council of Europe, to address the protection, assistance and development needs of internally displaced persons and to find durable solutions for them, and encourages regional organizations to strengthen their activities and their cooperation with the Special Rapporteur;

14. *Also welcomes* the recent ratification by several States of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), which builds on the Protocol on the Protection of and Assistance to Internally Displaced Persons and the Protocol on the Property Rights of Returning Persons adopted by the International Conference on the Great Lakes Region and which marks a significant step towards strengthening the national and regional normative framework for the protection of and assistance to internally displaced persons in Africa, further welcomes the holding of the first Conference of States Parties to the Convention in April 2017, encourages African States to sign and/or ratify the Convention, and encourages other regional mechanisms to develop their own regional normative frameworks for the protection of internally displaced persons;

15. *Calls upon* all parties to armed conflict to comply with their obligations under international humanitarian law, and international human rights law, as applicable, with a view to preventing forced displacement and promoting the protection of civilians, and calls upon Governments to take measures to respect and protect the human rights of all internally displaced persons, without distinction of any kind, in accordance with their applicable obligations under international law;

16. *Expresses particular concern* that many internally displaced children, in particular girls, lack access to education in all phases of displacement owing to attacks against schools, damaged or destroyed school buildings, insecurity, the prevalence of violence, including gender-based violence, in and around schools, loss of documentation, language barriers and discrimination, calls upon States, in cooperation with all other relevant actors, including humanitarian and development agencies and donors, to ensure the right to a quality education, including primary and secondary education, for internally displaced children, without discrimination of any kind, as well as to support existing schools to enable them to include internally displaced persons, calls upon all parties to armed conflict to respect the civilian character of schools and other educational institutions and to refrain from undertaking actions that could adversely affect the protection of these buildings against direct attacks, and strongly condemns all attacks, as well as threats of attack, against schools, in contravention of international humanitarian law;

17. *Also expresses particular concern* about the full range of threats, violations and abuses of human rights and violations of international humanitarian law experienced by many internally displaced persons, including women and children, who are particularly vulnerable or specifically targeted especially for sexual and gender-based violence and sexual exploitation and abuse, trafficking in persons, forced recruitment and abduction, encourages the continued commitment of the Special Rapporteur to promote action to address their particular assistance and protection needs, and calls upon States, in cooperation with international agencies and other stakeholders, to provide protection and assistance to internally displaced persons who are victims of the above-mentioned threats, violations and abuses, as well as other groups of internally displaced persons with special needs, such as severely traumatized individuals, older persons and persons with disabilities, taking into account all relevant resolutions of the General Assembly and the Security Council;

18. *Emphasizes* the importance of communication and consultation with internally displaced persons and host communities by Governments and other relevant actors, in accordance with their specific mandates, during all phases of displacement, as well as the participation of internally displaced persons, where appropriate, in policies, programmes and activities pertaining to them, taking into account the primary responsibility of States for the protection of and assistance to internally displaced persons within their jurisdiction;

19. *Calls upon* States, in cooperation with international agencies and other stakeholders, to provide for and support, in particular, the full and meaningful participation of internally displaced women at all levels of decision-making processes and in all activities that have a direct impact on their lives, in all aspects of internal displacement, including the promotion and protection of human rights, the prevention of human rights violations and the design and implementation of durable solutions, peace processes, peacebuilding, transitional justice, post-conflict reconstruction and development;

20. *Notes* the importance of taking the human rights and the specific protection and assistance needs of internally displaced persons into consideration, when appropriate, in peace processes, and emphasizes that durable solutions for internally displaced persons, including through voluntary return, sustainable reintegration, rehabilitation and reconciliation processes and their active participation, as appropriate, in the peace process are necessary elements of effective peacebuilding;

21. *Welcomes* the role of the Peacebuilding Commission in this regard, and continues to urge the Commission to intensify its efforts, within its mandate, in cooperation with national and transitional Governments and in consultation with the relevant United Nations entities, to incorporate the rights and the specific needs of internally displaced persons, including their voluntary return in safety and with dignity, reintegration and rehabilitation, as well as related land and property issues, when advising on or proposing country-specific peacebuilding strategies for post-conflict situations in cases under consideration;

22. *Encourages* the international community to provide technical cooperation to States affected by displacement, upon their request, including for the training of staff members of institutions in charge of registration and development of national laws and policies on internal displacement and issues related to land and property restitution and compensation;

23. *Welcomes* the fact that an increasing number of States, United Nations organizations and regional and non-governmental organizations are applying the Guiding Principles on Internal Displacement as a standard, and encourages all relevant actors to make use of the Guiding Principles when dealing with situations of internal displacement;

24. *Also welcomes* the use of the Guiding Principles on Internal Displacement by the Special Rapporteur in her dialogue with Governments, intergovernmental and non-governmental organizations and other relevant actors, and requests her to continue her efforts to further the dissemination, promotion, application and integration into domestic laws and policies of the Guiding Principles and to provide support for efforts to promote capacity-building and the use of the Guiding Principles, as well as the development of domestic legislation and policies;

25. *Expresses its appreciation* for the fact that an increasing number of States have adopted domestic legislation and policies dealing with all stages of displacement, encourages States to continue to do so in an inclusive and

non-discriminatory way, consistent with the Guiding Principles on Internal Displacement urges States to increase their efforts to implement such domestic laws and policies, including through the identification of national focal points within Governments for issues of internal displacement, in particular for setting national targets and indicators for policy and programmes, and for the allocation of budget resources, and encourages the international community and national actors to provide financial support and cooperation to Governments, upon request, in this regard;

26. *Urges* all Governments to continue to facilitate the activities of the Special Rapporteur, in particular Governments with situations of internal displacement, and to respond favourably to requests from the Special Rapporteur to enable her to continue and enhance dialogue with Governments in addressing situations of internal displacement, and thanks those Governments that have already done so;

27. *Invites* Governments to give serious consideration, in dialogue with the Special Rapporteur, to the recommendations and suggestions addressed to them, in accordance with her mandate, and to inform her of measures taken thereon;

28. *Calls upon* Governments to provide protection and assistance, including reintegration and development assistance, to internally displaced persons and to facilitate the efforts of the relevant United Nations agencies and humanitarian organizations in this regard by allowing and facilitating safe and unhindered access by humanitarian personnel and the delivery of supplies and equipment to internally displaced persons, in accordance with international law, and by maintaining the civilian and humanitarian character of camps and settlements for internally displaced persons, where they exist, as well as by taking the steps necessary to ensure the safety and security of humanitarian personnel so that they may efficiently perform their task of assisting internally displaced persons;

29. *Emphasizes* the central role of the Emergency Relief Coordinator in the coordination of the protection of and assistance to internally displaced persons, inter alia, through the inter-agency cluster system, welcomes continued initiatives taken to ensure better protection, assistance and development strategies for internally displaced persons, as well as better coordination of activities regarding them, and emphasizes the need to strengthen the capacities of national and local authorities, host communities, local organizations, United Nations organizations and other relevant actors to meet the immense humanitarian challenges of internal displacement;

30. *Encourages* all relevant United Nations organizations and humanitarian assistance, human rights and development organizations to enhance their collaboration and coordination through the Inter-Agency Standing Committee and United Nations country teams in countries with situations of internal displacement and to provide all possible assistance and support to the Special Rapporteur, and requests the continued participation of the Special Rapporteur in the work of the Inter-Agency Standing Committee and its subsidiary bodies;

31. *Encourages* the Inter-Agency Standing Committee to enhance coordination, effectiveness, efficiency and predictability in preventing, responding to and finding solutions to internal displacement;

32. *Encourages* Member States, humanitarian agencies, donors, development actors and other providers of development assistance to continue to work together, in close cooperation with the Special Rapporteur, to provide a more predictable response to the needs of internally displaced persons, including long-term development assistance for the implementation of durable solutions, with a view to reducing internal displacement, takes note of the decision of the Policy Committee

of the Secretary-General of 4 October 2011 endorsing the preliminary framework on ending displacement in the aftermath of conflict, notes the roll-out of the decision in selected countries and the lessons learned in that regard, and calls for United Nations agencies implementing the decision to cooperate closely with the Special Rapporteur in that regard and to use the Framework on Durable Solutions for Internally Displaced Persons of the Inter-Agency Standing Committee[12] in a manner that complements the decision of the Policy Committee;

33. *Notes with appreciation* the increased attention paid to the issue of internally displaced persons in humanitarian response plans, and encourages further efforts in this regard;

34. *Expresses deep concern* at the insufficient funding levels of humanitarian appeals, and in this respect urges all relevant actors to provide the relevant United Nations agencies and humanitarian organizations with sufficient and predictable resources to ensure adequate support for those who are forcibly displaced;

35. *Notes with appreciation* the increasing role of national human rights institutions in assisting internally displaced persons and in promoting and protecting their human rights;

36. *Recognizes* the need to collect reliable, timely, longitudinal and disaggregated data, including data disaggregated by sex, age, disability and location, on internally displaced persons and the impact of protracted displacement on host communities in order to improve policy, programming, prevention of and response to internal displacement and the achievement of durable solutions, and, in this respect, the relevance of the Global Internal Displacement Database maintained by the Internal Displacement Monitoring Centre and the technical support available from the inter-agency Joint Internally Displaced Person Profiling Service;

37. *Encourages* Member States, members of the Inter-Agency Standing Committee, United Nations humanitarian coordinators and country teams to contribute to the provision of reliable data on internal displacement situations, with the cooperation of the Internal Displacement Monitoring Centre and the technical support and assistance of the Joint Internally Displaced Person Profiling Service, and to provide financial resources, as appropriate, in these respects;

38. *Affirms* the need for the effective implementation of the Sendai Framework for Disaster Risk Reduction 2015–2030[13] to integrate post-disaster reconstruction and recovery, including the principle of "build back better", into the economic and social sustainable development of affected areas, as well as temporary settlements where the displaced live, to promote periodic disaster preparedness and response exercises into recovery and resettlement efforts with a view to ensuring a rapid and effective response to disasters and related displacement and to promote transboundary cooperation to build resilience and reduce disaster risk, including displacement risk;

39. *Takes note* of the first World Humanitarian Summit, held in Istanbul, Turkey, on 23 and 24 May 2016, and also takes note of the report of the Secretary-General on the outcome of the World Humanitarian Summit,[15] which contains, inter alia, recommendations to strengthen the partnerships between Member States and humanitarian and development actors in addressing the urgent and long-term needs of internally displaced persons;

40. *Welcomes* the New Urban Agenda adopted at the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) held in

[15] A/71/353.

Quito from 17 to 20 October 2016,[16] and in that regard urges the United Nations to work closely with Member States and other relevant actors, including local governments, civil society and the private sector, to promote more effective emergency preparedness and response in urban areas, and notes the importance of addressing, as appropriate, the particular needs and vulnerabilities of internally displaced persons in urban settings and of supporting host cities in the spirit of international cooperation;

41. *Encourages* Governments, United Nations agencies and other stakeholders to promote an inclusive approach to durable solutions that addresses the needs of internally displaced persons and their host communities, including the promotion of opportunities to fully harness the human potential of the displaced populations by promoting self-sufficiency through income-generating activities and sustainable livelihood opportunities;

42. *Recalls* the need to reflect on effective strategies to ensure adequate protection and assistance for internally displaced persons and to prevent and reduce such displacement, and in this regard encourages the Secretary-General to work with Member States and the United Nations system to explore ways to better address the long-term needs of internally displaced persons, support communities that host them and improve the lives of many millions of internally displaced persons;

43. *Requests* the Secretary-General to continue to provide the Special Rapporteur, from within existing resources, with all assistance necessary to strengthen and carry out her mandate effectively, and encourages the Office of the United Nations High Commissioner for Human Rights, in close cooperation with the Emergency Relief Coordinator, the Office for the Coordination of Humanitarian Affairs of the Secretariat, the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and all other relevant United Nations offices and agencies and related organizations, to continue to support and cooperate with the Special Rapporteur;

44. *Encourages* the Special Rapporteur to continue to seek the contributions of States, relevant organizations and institutions in order to create a more stable basis for her work;

45. *Requests* the Special Rapporteur to submit to the General Assembly at its seventy-third and seventy-fourth sessions a report on the implementation of the present resolution;

46. *Decides* to continue its consideration of the question of protection of and assistance to internally displaced persons at its seventy-fourth session.

[16] Resolution 71/256, annex.

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Seventy-second session
Third Committee
Agenda item 72 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Argentina, Armenia, Austria, Belgium, Brazil, Chile, Colombia, Costa Rica, Cyprus, Finland, France, Germany, Hungary, Iceland, Japan, Liechtenstein, Lithuania, Luxembourg, Monaco, Morocco, Panama, Poland, Slovenia, Spain, Switzerland and Ukraine: draft resolution

International Convention for the Protection of All Persons from Enforced Disappearance

The General Assembly,

Reaffirming its resolution 61/177 of 20 December 2006, by which it adopted and opened for signature, ratification and accession the International Convention for the Protection of All Persons from Enforced Disappearance,

Recalling its resolution 47/133 of 18 December 1992, by which it adopted the Declaration on the Protection of All Persons from Enforced Disappearance as a body of principles for all States,

Recalling also all its other resolutions on the matter, including resolution 70/160 of 17 December 2015, as well as relevant resolutions adopted by the Human Rights Council, including resolution 36/6 of 28 September 2017,[1]

Recalling further its resolution 68/165 of 18 December 2013 on the right to the truth, as well as Human Rights Council resolution 36/7 of 28 September 2017 on the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence,[1]

Recalling its resolution 71/185 of 19 December 2016 on the human rights treaty body system,

Recalling also that no one shall be subjected to enforced disappearance,

[1] See *Official Records of the General Assembly, Seventy-second Session, Supplement No. 53A* (A/72/53/Add.1), chap. III.

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Recalling further that no exceptional circumstance whatsoever may be invoked as a justification for enforced disappearance,

Recalling that no one shall be held in secret detention,

Deeply concerned, in particular, by the increase in enforced or involuntary disappearances in various regions of the world, including arrest, detention and abduction, when these are part of or amount to enforced disappearances, and by the growing number of reports concerning harassment, ill-treatment and intimidation of witnesses of disappearances or relatives of persons who have disappeared,

Recalling that the Convention sets out the right of victims to know the truth regarding the circumstances of the enforced disappearance, the progress and results of the investigation and the fate of the disappeared person, and sets forth State party obligations to take appropriate measures in this regard,

Recalling also that the Convention defines the victim of enforced disappearance as the disappeared person and any individual who has suffered harm as the direct result of an enforced disappearance,

Acknowledging that the widespread or systematic practice of enforced disappearance is recognized in the Convention as a crime against humanity, as defined in applicable international law,

Stressing the importance of the work of the Working Group on Enforced or Involuntary Disappearances,

Recalling the high-level meeting of the General Assembly held on 17 February 2017 to commemorate the tenth anniversary of the adoption of the Convention, which provided an opportunity to review the positive impact of the Convention and to discuss ways and best practices to prevent enforced disappearances and to combat impunity by, inter alia, promoting the universal ratification of the Convention,

Welcoming the launch by the United Nations High Commissioner for Human Rights of an international campaign for the universal ratification of the Convention,

Acknowledging the valuable work of the International Committee of the Red Cross in promoting compliance with international humanitarian law in this field,

1. *Recognizes* the importance of the International Convention for the Protection of All Persons from Enforced Disappearance,[2] the ratification and the implementation of which will be a significant contribution to ending impunity and to promoting and protecting all human rights for all;

2. *Welcomes* the fact that 97 States have signed the Convention and 57 have ratified or acceded to it, and calls upon States that have not yet done so to consider signing, ratifying or acceding to the Convention as a matter of priority, as well as to consider the option provided for in articles 31 and 32 of the Convention regarding the Committee on Enforced Disappearances;

3. *Also welcomes* the most recent reports of the Secretary-General on the status of the Convention;[3]

4. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to increase their intensive efforts to assist States in becoming parties to the Convention, including by supporting the actions of States to ratify the Convention, providing technical and capacity-building assistance to States

[2] United Nations, *Treaty Series*, vol. 2716, No. 48088.

[3] A/71/278 and A/72/280.

and civil society and raising awareness about the Convention, with a view to achieving universal adherence;

5. *Requests* United Nations agencies and organizations, and invites intergovernmental and non-governmental organizations and the Working Group on Enforced or Involuntary Disappearances, to continue to make efforts to disseminate information on the Convention, to promote understanding of it and to assist States parties in implementing their obligations under this instrument;

6. *Welcomes* the first Conference of States parties held on 19 December 2016 in Geneva, and convened in in accordance with article 27 of the Convention, and the decision adopted by consensus that the Committee continue to monitor the Convention in accordance with its mandate;

7. *Also welcomes* the work achieved by the Committee, and encourages all States parties to the Convention to submit their reports, to support and promote the work of the Committee and to implement its recommendations;

8. *Recognizes* the importance of the Declaration on the Protection of All Persons from Enforced Disappearance[4] as a body of principles for all States designed to punish enforced disappearances, to prevent their commission and to help victims of such acts and their families to seek fair, prompt and adequate reparation;

9. *Welcomes* the cooperation established between the Working Group and the Committee, within the framework of their respective mandates, and encourages further cooperation in the future;

10. *Takes note with interest* of all the general comments of the Working Group, including the most recent comments on children[5] and women[6] affected by enforced disappearances, and recognizes in this regard that enforced disappearances have special consequences for women and vulnerable groups, especially children, as they most often bear the serious economic hardships that usually accompany such disappearances and, when subjected to enforced disappearances themselves, may become particularly vulnerable to sexual and other forms of violence;

11. *Welcomes* the fact that the Committee held its annual meeting with the Working Group, as an opportunity to take stock of the activities of the two parallel organs, which are complementary and reinforce each other within the framework of their respective mandates;

12. *Invites* the Chair of the Committee and the Chair of the Working Group to address and engage in an interactive dialogue with the General Assembly at its seventy-third and seventy-fourth sessions under the item entitled "Promotion and protection of human rights";

13. *Requests* the Secretary-General to submit to the General Assembly at its seventy-fourth session a report on the status of the Convention and the implementation of the present resolution;

14. *Decides* to give its full consideration to the subject matter at its seventy-fourth session.

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[4] Resolution 47/133.

[5] A/HRC/WGEID/98/1 and A/HRC/WGEID/98/1/Corr.1.

[6] A/HRC/WGEID/98/2.

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Seventy-second session
Third Committee
Agenda item 72 (c)
Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Egypt:* draft resolution

Situation of human rights in Myanmar

The General Assembly,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights,[2] the Convention on the Rights of the Child[3] and other relevant international law and human rights law instruments,

Noting the importance of the role of regional organizations in efforts to achieve pacific settlement of local disputes, as stipulated in Chapter VIII of the Charter,

Reaffirming its previous resolutions on the situation of human rights in Myanmar, the most recent of which being resolution 70/233 of 23 December 2015, and the resolutions and decisions of the Human Rights Council, the most recent of which being resolution 34/22 of 24 March 2017[4] and decision 36/115 of 29 September 2017,[5]

Welcoming the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in Myanmar[6] and the access granted to her during her visits to Myanmar in January 2017 and July/August 2017,

* On behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation.

[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[4] *Official Records of the General Assembly, Seventy-second Session, Supplement No. 53* (A/72/53), chap. IV, sect. A.

[5] Ibid., *Supplement No. 53A* (A/72/53/Add.1), chap. IV.

[6] A/72/382.

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Expressing grave concern at the recent reports of serious human rights violations and abuses in Myanmar, in particular in Rakhine State, as well as in Kachin and northern Shan States,

Highly alarmed at the outbreak of violence in Rakhine State in August 2017 that has caused hundreds of thousands of Rohingya civilians to flee towards Bangladesh, and which, thus far, has displaced nearly 600,000 Rohingya, with the prospect of even higher numbers of displaced people,

Further alarmed by the disproportionate and sustained use of force by the Myanmar forces against the Rohingya community and others in northern Rakhine State,

Condemning the attacks of the Arakan Rohingya Salvation Army against police and military posts on 25 August 2017,

Underlining the importance of the Government of Myanmar intensifying efforts to fulfil its human rights obligations, and concerned about the denial of human rights violations by the Government of Myanmar,

Underlining also the need for the armed forces of Myanmar to take immediate steps to protect all civilians, including those belonging to the Rohingya community, by respecting international law, including human rights law, and ending the violence, and calling for urgent steps to ensure independent and impartial investigations into all human rights violations and abuses,

Deeply distressed by the reports of unarmed Rohingya in Rakhine State being subjected to the unlawful use of force by non-State actors and the excessive use of force by the military and security forces, including extrajudicial killings, rape and other forms of sexual violence, arbitrary detention and the unexplained disappearance of Rohingya civilians in Rakhine State, and by reports of large-scale destruction of homes and systematic evictions in northern Rakhine State, including the use of arson and violence,

Noting with deep concern that, according to the United Nations Children's Fund, nearly 60 per cent of Rohingya Muslims who have been forced to flee to Bangladesh are children,

Noting with deep concern also the deteriorating security, human rights and humanitarian situation in Rakhine State, and the continued serious violations and abuses of human rights of Rohingya Muslims in Rakhine State, as well as statelessness, disenfranchisement, economic dispossession, marginalization and deprivation of livelihoods, as well as restrictions on freedom of movement for persons belonging to the Rohingya community, including the confinement of approximately 120,000 people in camps for internally displaced persons, the majority of whom rely entirely on foreign aid,

Reaffirming the right of all refugees and displaced persons to return home in safety and dignity and in a voluntary and sustainable manner,

Taking note of the formation, in 2016, of the Advisory Commission on Rakhine State, chaired by Kofi Annan, which submitted its final report in August 2017,[7] and the commitment of the Government of Myanmar to implementing the Commission's recommendations and addressing the underlying causes of the situation in Rakhine State,

[7] Advisory Commission on Rakhine State, "Towards a Peaceful, Fair and Prosperous Future for the People of Rakhine", August 2017 (available at: http://www.rakhinecommission.org/app/uploads/2017/08/FinalReport_Eng.pdf).

Noting the other commitments of the Government of Myanmar to improve the situation in Rakhine State for all communities, while underscoring the need for expedited implementation, including through commitments to the return of refugees and forcibly displaced persons, and the speech by the State Counsellor of 12 October 2017, in which she set out her vision for resolving the crisis, including through the setting up of the Union Enterprise for Humanitarian Assistance, Resettlement and Development in Rakhine and of country-wide interfaith meetings,

Concerned that, in spite of Rohingya Muslims having lived in Myanmar for generations prior to the independence of Myanmar, they were made stateless by the enactment of the 1982 Citizenship Law and were eventually disenfranchised, in 2015, from the electoral process,

Acknowledging that the denial of citizenship status and related rights to Rohingya Muslims and others, including voting rights, is a serious human rights concern,

Noting with concern the findings of the flash report of 3 February 2017 on the mission of the Office of the United Nations High Commissioner for Human Rights to Bangladesh, as well as the report of the rapid response mission of the Office of the High Commissioner to Cox's Bazar, Bangladesh, in September 2017,

Welcoming the decision of the Human Rights Council to constitute a fact-finding mission pursuant to its resolution 34/22,

Reiterates the concerns expressed by the Secretary-General to the Human Rights Council and at the open debate of the Security Council on Myanmar, held on 28 September 2017,

1. *Calls upon* the authorities of Myanmar:

(a) To end the ongoing military operations that have fuelled tensions among the communities and have led to the systematic violation and abuse of human rights of persons belonging to the Rohingya community and other ethnic minorities and to hold perpetrators accountable;

(b) To allow full and unhindered access for the delivery of humanitarian assistance by humanitarian actors, including the United Nations, its international partners as well as by regional organizations, including, but not limited to, the Coordinating Centre for Humanitarian Assistance on Disaster Management of the Association of Southeast Asian Nations, to affected persons and communities, and in this regard urges the Government to implement the various international cooperation agreements that have not yet been implemented for the distribution of humanitarian aid to all affected areas, including Rakhine State, without discrimination;

(c) To de-escalate the situation to prevent the further loss of lives and displacement so that humanitarian aid may be provided to all affected communities in need and medical support provided to the sick, injured and those suffering from malnutrition and severe mental trauma;

(d) To ensure the voluntary and sustainable return, in safety, security and dignity and in accordance with international law, of all internally displaced persons, refugees and others who have had to leave Myanmar to their original places of residence, in particular those from the Rohingya minority;

(e) To intensify its efforts to address discrimination, human rights violations, displacement and economic deprivation affecting members of various ethnic and religious minorities and stateless populations, as well as to take all necessary measures to prevent the destruction of places of worship;

(f) To undertake all measures to counter incitement to hatred and hate speech leading to violence and to combat discrimination and violence against persons belonging to national or ethnic, religious or linguistic minorities in order to allow true reconciliation to take place in Rakhine State;

(g) To grant full, unrestricted and unmonitored access for the fact-finding mission of the Human Rights Council, other human rights mechanisms and the United Nations to independently monitor the human rights situation, and to ensure that individuals have unhindered access to and can communicate with the United Nations and other human rights entities, without fear of reprisal, intimidation or attack;

(h) To ensure accountability by undertaking full, transparent and independent investigations of those who commit human rights violations and abuses, including violations and abuses carried out by members of the military, other Government agents and members of vigilante groups, including those motivated by extreme views against Rohingya Muslims and those who divide communities;

(i) To ensure that any response against extremism is proportionate and respects the rule of law, international human rights obligations and international humanitarian law, and to take initiatives to address the underlying causes for the spread of violent extremism and radicalization in Rakhine State;

(j) To ensure that any measure taken to address the underlying causes for the spread of violence and radicalization complies with applicable international law, including international human rights and refugee law;

(k) To dismantle the present internally displaced persons' camps in Rakhine State, ensuring that the return and relocation of internally displaces persons is carried out in accordance with international standards and best practices;

(l) To ensure an expeditious verification process for refugees and forcibly displaced persons, in timely manner;

(m) To ensure full respect for all human rights and fundamental freedoms for persons belonging to the Rohingya community, to end all restrictions on their movements, to ensure full access to health and medical services without any discrimination and to reverse any step or directive that caused marginalization and vulnerability for Rohingya Muslims;

(n) To fully implement the recommendations of the Advisory Commission on Rakhine State, to allow reconciliation among all other communities living in Rakhine State and to commence a process of inclusive development meaningful for all communities;

(o) To grant full citizenship rights, in keeping with a transparent due process, to Rohingya Muslims in Rakhine State, including by reviewing the 1982 Citizenship Law;

(p) To ensure full protection of the human rights and fundamental freedoms of Rohingya Muslims and other ethnic and religious minorities in an equal and dignified manner in order to prevent further instability and insecurity, alleviate suffering, address the root causes of the situation and forge a viable, lasting and durable solution;

2. *Urges* the forging of a long-lasting solution that affirms shared values, promotes mutual respect and upholds human dignity, and recognizes the setting up by the Government of Myanmar of the Union Enterprise for Humanitarian Assistance, Resettlement and Development in Rakhine, the Central Committee for

the Implementation of Peace, Stability and Development in Rakhine State and the Advisory Commission on Rakhine State and the efforts to implement the recommendations of the Commission;

3. *Expresses its deep concern* at the plight of refugees and forcibly displaced persons living in Bangladesh and in other countries, and appreciates the commitment by the Government of Bangladesh to provide temporary shelter, humanitarian assistance and protection to them;

4. *Encourages* further cooperation between Myanmar and Bangladesh to address all relevant aspects of the crisis, including the expedited, safe and voluntary return of refugees, as well as full cooperation with the United Nations and its funds, programmes and agencies;

5. *Encourages* the international community to: (a) assist Bangladesh in providing humanitarian assistance to the Rohingya refugees and forcibly displaced persons until such time as they are voluntarily repatriated to Myanmar in safety and dignity; (b) assist Myanmar in the provision of humanitarian assistance to affected persons of all communities who have been internally displaced within Rakhine State;

6. *Recognizes*, with appreciation, the assistance and support of the international community, including regional organizations and Myanmar's neighbouring countries, and encourages support for the Government of Myanmar in the fulfilment of its international human rights obligations and commitments, the implementation of its democratic transition process and its economic and social development and its efforts towards a sustainable peace, as well as its national reconciliation process involving all relevant stakeholders;

7. *Encourages* further efforts to promote intercommunal and interfaith dialogue to de-escalate tension and foster peaceful coexistence among all ethnic and religious groups;

8. *Stresses* that the right to freedom of thought, conscience and religion or belief applies equally to all persons, regardless of their religion or belief and without any discrimination as to their equal protection under the law;

9. *Takes note* of those developments in Myanmar that contribute positively towards political and economic reform, democratization, national reconciliation, good governance and the rule of law, and of the efforts made to promote and protect human rights and combat corruption, and urges the Government to take further steps to address outstanding concerns, in particular those reflected in the present resolution;

10. *Requests* the Secretary-General to continue to provide his good offices and to pursue his discussions relating to Myanmar, involving all relevant stakeholders and including the concerns addressed in herein, and in this regard to appoint a special envoy on Myanmar and to offer assistance to the Government of Myanmar;

11. *Decides* to remain seized of the matter, inter alia, on the basis of the reports of the Secretary-General, the fact-finding mission and the Special Rapporteur of the Human Rights Council and the special envoy on Myanmar.

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Seventy-second session
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Agenda item 72 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Egypt, Jordan, Morocco and Saudi Arabia: draft resolution

Effects of terrorism on the enjoyment of human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[2] the International Covenant on Civil and Political Rights[2] and other relevant international human rights instruments,

Recalling all relevant resolutions of the General Assembly, the Security Council, the Commission on Human Rights and the Human Rights Council concerning terrorism, including its resolutions 46/51 of 9 December 1991, 60/158 of 16 December 2005, 60/288 of 8 September 2006, 64/297 of 8 September 2010, 68/178 of 18 December 2013, 68/276 of 13 June 2014, 69/127 of 10 December 2014 and 70/148 of 17 December 2015, Commission on Human Rights resolution 2004/44 of 19 April 2004[3] and the resolutions of the Human Rights Council on terrorism and human rights, including 28/17 of 26 March 2015,[4] 31/30 of 24 March 2016[5] and 34/8 of 23 March 2017,[6] as well as on the protection of human rights and fundamental freedoms while countering terrorism, including its most recent resolution, resolution 35/34 of 23 June 2017,[7]

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.
[4] *Official Records of the General Assembly, Seventieth Session, Supplement No. 53* (A/70/53), chap. III, sect. A.
[5] Ibid., *Seventy-first Session, Supplement No. 53* (A/71/53), chap. IV, sect. A.
[6] Ibid., *Seventy-second Session, Supplement No. 53* (A/72/53), chap. IV, sect. A.
[7] Ibid., chap. V, sect. A.

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Recalling also Human Rights Council resolution 17/8 of 16 June 2011, entitled "Proclamation of 19 August as the International Day of the Remembrance of and Tribute to the Victims of Terrorism",[8]

Reiterating its strong condemnation of terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes,

Recognizing that terrorism has a detrimental effect on the enjoyment of human rights and fundamental freedoms, and ultimately represents a grave threat to the functioning of societies and to international peace and security,

Emphasizing that civil, political, economic, social and cultural rights are universal, indivisible, interdependent and interrelated,

Stressing that States, under international human rights law, have an obligation to protect individuals under their jurisdiction from acts of terrorism, to take effective counter-terrorism measures and to investigate and prosecute those responsible for carrying out such acts, while ensuring that counter-terrorism laws and practices are human rights-compliant,

Reaffirming the obligation of States to promote, protect and respect all human rights and fundamental freedoms,

Renewing its unwavering commitment to strengthening international cooperation to prevent and combat terrorism in all its forms and manifestations,

Emphasizing that terrorism cannot and should not be associated with any religion, nationality or civilization, that mutual respect, tolerance and the enhancement of interfaith and intercultural understanding are among the most important elements in promoting cooperation and success in preventing and combating terrorism, and welcoming the various initiatives to that end,

Reiterating the need for States to conduct prevention of terrorism activities within the rule of law,

Conscious that development based on the principles of social justice and equal opportunities contributes to preventing the radicalization of individuals to terrorism and their recruitment by terrorist groups,

1. *Reaffirms* its commitment to the United Nations Global Counter-Terrorism Strategy and a balanced implementation of its four pillars, as adopted in its resolution 60/288;

2. *Strongly condemns* all terrorist acts as criminal and unjustifiable, and expresses grave concern about their detrimental effects on the enjoyment of human rights;

3. *Expresses concern* that terrorists and terrorist groups have targeted Governments as well as members of groups on the basis of religion and/or ethnicity;

4. *Also expresses concern* at the alarming number of victims as a consequence of the escalating level of terrorist attacks around the world, resulting in numerous casualties and destruction;

5. *Recognizes* that terrorism has a grave impact on the full realization of human rights and fundamental freedoms, including by, but not limited to, destroying infrastructure, harming the tourism industry, diverting foreign direct investment,

[8] *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53* (A/66/53), chap. III, sect. A.

impeding economic growth and increasing security costs, thus hampering development;

6. *Urges* States to take appropriate measures to prevent and counter terrorism in all its forms and manifestations, in full compliance with their international legal obligations, and to respect and protect all human rights while countering terrorism;

7. *Reiterates* that all States should take appropriate measures to deny all forms of support for terrorists and terrorist groups, particularly political, military, logistical and financial support, to deny safe haven and prevent terrorists from benefiting directly or indirectly from ransom payments to terrorist groups and to hold accountable or, where appropriate, extradite, on the basis of the principle of extradite or prosecute, those responsible for terrorist acts or any person who supports, facilitates or participates, or attempts to participate, in the financing, planning, preparation or perpetration of terrorist acts or in providing safe havens;

8. *Reaffirms* the obligation of States to refrain from supporting terrorist groups that establish propaganda platforms (such as electronic or satellite communications or any other media on their territory), and urges States to take appropriate preventive measures in this regard while acting in full compliance with human rights;

9. *Emphasizes* the importance of cooperation among stakeholders, including through technical cooperation, capacity-building and the exchange of information and intelligence on counter-terrorism, and in this regard calls upon States and relevant regional and subregional organizations, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy and its four pillars;

10. *Reaffirms* its profound solidarity with the victims of terrorism and their families, and acknowledges the importance of protecting their rights and providing them with proper support, assistance and rehabilitation, in accordance with relevant national laws;

11. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its seventy-third session.

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Agenda item 72 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Egypt, Jordan, Morocco, Saudi Arabia: revised draft resolution

Effects of terrorism on the enjoyment of human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[2] the International Covenant on Civil and Political Rights[2] and other relevant international human rights instruments,

Taking note of all relevant resolutions of the General Assembly, the Security Council, the Commission on Human Rights and the Human Rights Council concerning terrorism and the protection of human rights, including its resolutions 46/51 of 9 December 1991, 60/158 of 16 December 2005, 60/288 of 8 September 2006, 64/297 of 8 September 2010, 68/178 of 18 December 2013, 68/276 of 13 June 2014, 69/127 of 10 December 2014, 70/148 of 17 December 2015 and 70/291 of 1 July 2016, Commission on Human Rights resolution 2004/44 of 19 April 2004[3] and Human Rights Council resolutions 25/7 of 27 March 2014,[4] 28/17 of 26 March 2015,[5] 29/9 of 2 July 2015,[6] 31/3 of 23 March 2016,[7] 31/30 of 24 March 2016,[8] 33/21 of 30 September 2016,[9] 34/8 of 23 March 2017[10] and 35/34 of 23 June 2017,[11]

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.
[4] *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. IV, sect. A.*al Records of the General Assembly, Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. IV, sect. A.
[5] Ibid., *Seventieth Session, Supplement No. 53* (A/70/53), chap. III, sect. A.
[6] Ibid, chap.V, sect. A.
[7] Ibid., *Seventy-first Session, Supplement No. 53* (A/71/53), chap. IV, sect. A.
[8] Ibid.
[9] Ibid., *Supplement No. 53A* (A/71/53/Add.1 and corrigendum), chap. II.
[10] Ibid., *Seventy-second Session, Supplement No. 53* (A/72/53), chap. IV, sect. A.
[11] Ibid., chap. V, sect. A.

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Reiterating its strong and unequivocal condemnation of all acts, methods and practices of terrorism and violent extremism as and when conducive to terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation,

Recognizing that terrorism has a detrimental effect on the full enjoyment of all human rights and fundamental freedoms, and impedes the full enjoyment of political, civil, economic, social and cultural rights,

Strongly condemning the systematic recruitment and use of children to perpetrate terrorist attacks, as well as the violations and abuses committed by terrorist groups against children, including killing and maiming, abduction and rape and other forms of sexual violence, and noting that such violations and abuses may amount to war crimes or crimes against humanity,

Expressing deep concern that acts of sexual and gender-based violence are known to be part of the strategic objectives and ideology of certain terrorist groups and are used as an instrument to increase their power through supporting financing and recruitment and through the destruction of communities,

Emphasizing that all human rights are universal, indivisible, interdependent and interrelated,

Reaffirming the fundamental importance of respecting all human rights and fundamental freedoms and the rule of law, and reiterating that all States have an obligation to promote and protect all human rights and fundamental freedoms and to ensure implementation of their obligations under international human rights law and international humanitarian law, as applicable,

Reaffirming that the promotion and the protection of human rights for all and the rule of law are essential to the fight against terrorism, recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals, but are complimentary and mutually reinforcing, and stressing the need to promote and protect the rights of victims of terrorism,

Stressing that States have a responsibility to protect individuals within their territory and subject to their jurisdiction from acts of terrorism, to take effective counter-terrorism measures and to investigate and prosecute those responsible for carrying out such acts, and emphasizing the importance of ensuring that counter-terrorism laws, measures and practices are human rights-compliant,

Renewing its unwavering commitment to strengthening international cooperation to prevent and combat terrorism and violent extremism as and when conducive to terrorism in all its forms and manifestations, and reaffirming that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed,

Emphasizing that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group, and that tolerance, pluralism, inclusion and respect for diversity, dialogue among civilizations and the enhancement of interfaith and intercultural understanding and respect among people, including at the national, regional and global levels, while avoiding the escalation of hatred, are among the most important elements in promoting cooperation and success in preventing and combating terrorism, and welcoming the various initiatives to that end,

Reaffirming the commitment of Member States to take measures aimed at addressing the conditions conducive to the spread of terrorism, including but not limited to prolonged unresolved conflicts, the dehumanization of victims of terrorism in all its forms and manifestations, lack of the rule of law and violations

and abuses of human rights, ethnic, national and religious discrimination, political exclusion, socioeconomic marginalization and lack of good governance, while recognizing that none of these conditions can excuse or justify acts of terrorism,

Conscious that there are a number of drivers underlying radicalization to terrorism and that development based on the principles of social justice, inclusion and equal opportunities can contribute to the prevention of terrorism and violent extremism as and when conducive to terrorism, as well as to the promotion of inclusive, open and resilient societies, notably through education, and affirming the determination of States to work towards conflict resolution, to confront oppression, to eradicate poverty, to promote sustained economic growth, sustainable development, global prosperity, good governance, human rights and fundamental freedoms for all and the rule of law, to improve intercultural understanding and to promote respect for all,

1. *Strongly condemns* all terrorist acts as criminal and unjustifiable, and expresses grave concern about their detrimental effects on the enjoyment of all human rights;

2. *Reaffirms* its commitment to the United Nations Global Counter-Terrorism Strategy and a balanced and integrated implementation of its four pillars, as adopted in its resolution 60/288, and at its fifth review, and recognizes the need to redouble efforts for even attention paid to and even implementation of all the pillars of the strategy;

3. *Expresses concern* that terrorists and terrorist groups have targeted communities and individuals, as well as Governments, including on the basis of religion or belief and/or ethnicity;

4. *Deeply deplores* the suffering caused by terrorism to the victims of terrorism in all its forms and manifestations and to their families, expresses its profound solidarity with them, and encourages Member States to provide them with proper support and assistance while taking into account, inter alia, when appropriate, considerations regarding remembrance, dignity, respect, justice and truth, in accordance with international law;

5. *Recognizes* that terrorism has a grave impact on the full enjoyment of all human rights and fundamental freedoms and that it potentially hampers development, including, but not limited to, destroying infrastructure, harming the tourism industry, diverting foreign direct investment, impeding economic growth and increasing security costs;

6. *Urges* States to protect persons within their territory and subject to their jurisdiction by preventing and countering terrorism in all its forms and manifestations, in full compliance with their international legal obligations, and to respect and protect all human rights while countering terrorism in accordance with international law, in particular international human rights law, international refugee law and international humanitarian law;

7. *Calls upon* Member States to remain alert to the use of information and communications technology for terrorist purposes and to cooperate to counter violent extremist propaganda and incitement to violence on the Internet and social media, including by developing effective counter-narratives, and to prevent terrorists from recruiting and raising funds online for terrorist purposes, while respecting human rights and fundamental freedoms, in compliance with their obligations under international law, and stresses the importance of cooperation with civil society and the private sector in this endeavour;

8. *Expresses its concern* at the increasing use, in a globalized society, by terrorists and their supporters of information and communications technology, in particular the Internet and other media, to advocate, commit, incite, recruit for, fund or plan terrorist acts, urges States to take appropriate preventive measures in this regard while acting in full compliance with their international law obligations, and reiterating that such technologies can be powerful tools in countering the spread of terrorism, including by promoting tolerance, dialogue among peoples and peace;

9. *Emphasizes* the importance of cooperation among stakeholders, including through technical cooperation, capacity-building and the exchange of good practices, information and intelligence on preventing and countering terrorism, and in this regard calls upon States and relevant regional and subregional organizations, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy and its four pillars in a balanced and integrated manner;

10. *Reaffirms* its profound solidarity with the victims of terrorism and their families, and acknowledges the importance of protecting their rights and providing them with proper support, assistance and rehabilitation, while taking into account, when appropriate, considerations regarding remembrance, dignity, respect, justice and truth in such a way that promotes accountability and ends impunity, and encourages the enhancement of international cooperation and the exchange of expertise in that respect, in accordance with international law;

11. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its seventy-third session.

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Agenda item 72 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Argentina, Chile, Colombia, Georgia, Honduras, Hungary, Iceland, Ireland, Liberia, Liechtenstein, Monaco, Norway, Panama and Switzerland: draft resolution

Twentieth anniversary and promotion of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (commonly referred to as the Declaration on human rights defenders)

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other relevant instruments,

Recalling its resolution 53/144 of 9 December 1998, by which it adopted by consensus the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms,

Recalling also all its other previous resolutions on this subject, including its resolutions 66/164 of 19 December 2011, 68/181 of 18 December 2013 and 70/161 of 17 December 2015, and Human Rights Council resolutions 22/6 of 21 March 2013,[3] 31/32 of 24 March 2016[4] and 34/5 of 23 March 2017,[5]

[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. IV, sect. A.

[4] Ibid., *Seventy-first Session* (A/71/53), chap. IV, sect. A.

[5] Ibid., *Seventy-second Session* (A/72/53), chap. IV, sect. A.

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Reaffirming that States have the primary responsibility and are under the obligation to protect all human rights and fundamental freedoms of all persons,

Stressing, in this regard, that all human rights and fundamental freedoms apply to all persons, including human rights defenders in the context of the Declaration, and that these rights and freedoms must be respected, protected and fulfilled without discrimination,

Reaffirming the importance of the Declaration and its implementation, and that promoting respect and support for the activities of human rights defenders is essential to the overall enjoyment of human rights,

Underscoring the positive, important and legitimate role of human rights defenders in promoting and advocating the realization of all human rights, at the local, national, regional and international levels, including by engaging with Governments and contributing to the efforts in the implementation of the obligations and commitments of States in this regard,

Welcoming the steps taken by some States to create a safe and enabling environment for the promotion, protection and defence of human rights, and recognizing the positive efforts by States, national human rights institutions and civil society towards the development and enactment of national policies, laws, programmes and practices in this regard,

Recognizing the substantial role that human rights defenders can play in supporting efforts to strengthen conflict prevention, peace and development through dialogue, openness, participation and justice, including by monitoring, reporting on and contributing to the promotion and protection of all civil, cultural, economic, political and social rights, and the right to development, and in the context of the implementation of the 2030 Agenda for Sustainable Development,[6]

Gravely concerned by the considerable and increasing number of allegations and communications of a serious nature received by special procedures of the Human Rights Council and other mechanisms on the risks and dangers faced by human rights defenders, including women human rights defenders, online and offline, and the prevalence of impunity for violations and abuses against them in many countries, where they face threats, harassment and attacks and suffer insecurity, including through restrictions on the rights to freedom of opinion, expression, association or peaceful assembly, and the right to privacy, or through abuse of criminal or civil proceedings, or acts of intimidation and reprisal intended to prevent their cooperation with the United Nations and other international bodies in the field of human rights,

Mindful that domestic law and administrative provisions and their application should facilitate the work of human rights defenders, including by avoiding any criminalization, stigmatization, impediments, obstructions or restrictions thereof contrary to the obligations and commitments of States under international human rights law,

Underscoring that the legal framework within which human rights defenders work peacefully to promote and protect human rights and fundamental freedoms is that of national legislation consistent with the Charter and international human rights law,

[6] Resolution 70/1.

Gravely concerned that, in some instances, national security and counter-terrorism legislation and other measures, such as laws regulating civil society organizations, have been misused to target human rights defenders or have hindered their work and endangered their safety in a manner contrary to international law,

Recognizing the urgent need to address, and to take concrete steps to prevent and stop, the use of legislation to hinder or limit unduly the ability of human rights defenders to exercise their work, including by reviewing and, where necessary, amending relevant legislation and its implementation in order to ensure compliance with international human rights law,

Strongly reaffirming that everyone has the right, individually and in association with others, to promote and strive for the protection and realization of human rights and fundamental freedoms at the national and international levels, as laid out in the Declaration, and, in view of the twentieth anniversary of the Declaration, encouraging leaders in all sectors of society and in their respective communities, including political, military, social and religious leaders and leaders in business and the media, to express public support for human rights defenders in society, including women human rights defenders, and in cases of threat, harassment, violence, discrimination, racism and other violations and abuses committed against them, including killings, to take a clear stance in rejection of such practices and offences,

1. *Stresses* that the right of everyone to promote and strive for the protection and realization of human rights and fundamental freedoms without retaliation or fear thereof is an essential element in building and maintaining sustainable, open and democratic societies;

2. *Calls upon* all States to take all measures necessary to ensure the rights and safety of all persons, including human rights defenders, who exercise the rights to freedom of opinion, expression, peaceful assembly and association, which are essential for the promotion and protection of human rights;

3. *Welcomes* the work and takes note of the report of the Special Rapporteur of the Human Rights Council on the situation of human rights defenders,[7] and also takes note of the report of the Secretary-General on cooperation with the United Nations, its representatives and mechanisms in the field of human rights;[8]

4. *Urges* States to acknowledge through public statements, policies, programmes or laws the important and legitimate role of individuals, groups and organs of society, including human rights defenders, in the promotion of human rights, democracy and the rule of law as essential components of ensuring their recognition and protection, including by condemning publicly all cases of violence and discrimination against human rights defenders, including women human rights defenders, underlining that such practices can never be justified;

5. *Encourages* partnerships and collaboration between States, civil society and other stakeholders in promoting, protecting and realizing all human rights and fundamental freedoms, including through consultative bodies, focal points within the public administration, national human rights mechanisms for reporting or follow-up, or measures aimed at enhancing the recognition in society of the valuable role played by human rights defenders, while fully recognizing the importance of the independent voice of human rights defenders and other civil society actors;

[7] A/72/170.
[8] A/HRC/36/31.

6. *Underlines* the value of national human rights institutions, established and operating in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles),[9] in the continued monitoring of existing legislation and consistently informing the State about its impact on the activities of human rights defenders, including by making relevant and concrete recommendations;

7. *Strongly condemns* the violence against and the targeting, criminalization, intimidation, torture, disappearance and killing of any individuals, including human rights defenders, for reporting and seeking information on human rights violations and abuses, and stresses the need to combat impunity by ensuring that those responsible for violations and abuses against human rights defenders, including against their legal representatives, associates and family members, are promptly brought to justice through impartial investigations;

8. *Condemns* all acts of intimidation and reprisal by State and non-State actors against individuals, groups and organs of society, including against human rights defenders and their legal representatives, associates and family members, who seek to cooperate, are cooperating or have cooperated with subregional, regional and international bodies, including the United Nations, its representatives and mechanisms, in the field of human rights;

9. *Calls upon* States to take concrete steps to prevent and put an end to arbitrary arrest and detention of human rights defenders, and in this regard strongly urges the release of persons detained or imprisoned, in violation of the obligations and commitments of States under international human rights law, for exercising their human rights and fundamental freedoms, such as the rights to freedom of expression, peaceful assembly and association, including in relation to cooperation with the United Nations or other international mechanisms in the area of human rights;

10. *Strongly reaffirms* the urgent need to respect, protect, facilitate and promote the work of those promoting and defending economic, social and cultural rights, as a vital factor contributing towards the realization of those rights, including as they relate to environmental, land and indigenous issues, as well as development, including through corporate accountability;

11. *Continues to express particular concern* about systemic and structural discrimination and violence faced by women human rights defenders of all ages, and reiterates its strong call upon States to take appropriate, robust and practical steps to protect women human rights defenders and to integrate a gender perspective into their efforts to create a safe and enabling environment for the defence of human rights, as called for by the General Assembly in its resolution 68/181;

12. *Urges* non-State actors, including transnational corporations and other business enterprises, to respect and protect the human rights and fundamental freedoms of all persons, including human rights defenders, and underlines the need to ensure the accountability of, and the provision of adequate remedies by, transnational corporations and other business enterprises, while also urging States to adopt relevant policies and laws in this regard, including to hold all companies to account for involvement in threats or attacks against human rights defenders;

13. *Welcomes* the steps taken by some States to promote and give effect to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and

[9] Resolution 48/134, annex.

Fundamental Freedoms,[10] as well as by the United Nations High Commissioner for Human Rights and some regional organizations in making the Declaration available and known to all stakeholders at the national and local levels, in their respective languages, and underlines the need to promote and give full effect to the Declaration,

14. *Decides* to devote a high-level plenary meeting of the General Assembly at its seventy-third session, within existing resources, to the twentieth anniversary of the adoption of the Declaration, with a view to giving impetus to its promotion in all regions, and requests the President of the General Assembly to conduct consultations with Member States in order to determine the modalities for that meeting;

15. *Encourages* all parts of the international community, in view of the twentieth anniversary of the Declaration, including States, national human rights institutions, the Office of the United Nations High Commissioner for Human Rights and the Special Rapporteur on the situation of human rights defenders, in cooperation with relevant parts of the United Nations system, relevant regional organizations and civil society actors, to initiate and take part in awareness-raising activities at the local, national, regional and international levels, to promote and support the Declaration and its implementation, invites all stakeholders to report thereon to the General Assembly at its seventy-third session, and requests the Office of the High Commissioner to prepare a compilation thereof for the high-level plenary meeting referred to in paragraph 14 above;

16. *Requests* the Secretary-General, in view of the twentieth anniversary of the Declaration, to undertake a comprehensive assessment and analysis of progress and challenges related to the ways in which the Office of the High Commissioner, as well as other relevant United Nations bodies, offices, departments and specialized agencies, including at the country level, within their respective mandates, can give due consideration to the Declaration, take into account the reports of the Special Rapporteur and assist States in strengthening the role and security of human rights defenders as called for by the General Assembly in its resolutions 62/152 of 18 December 2007, 64/163 of 18 December 2009, 66/164, 68/181 and 70/161, recognizing that technical assistance and capacity-building are provided in consultation with, and with the consent of, the Member States concerned;

17. *Also requests* the Secretary-General, as part of that assessment and analysis, to identify good practices related to the provision of technical assistance and capacity-building by relevant parts of the United Nations system in accordance with paragraph 16 above, including examples of positive impact or change as well as challenges related to the provision of support to States in the implementation of relevant human rights obligations and commitments;

18. *Further requests* the Secretary-General to undertake his assessment and analysis in cooperation with the Special Rapporteur and in consultation with States, other relevant special procedures mandate holders, relevant treaty bodies, relevant United Nations offices, departments and specialized agencies, including at the country level, as well as national human rights institutions and civil society, and to present the results of this assessment and analysis in a report, containing conclusions and recommendations for effective technical assistance and capacity-building, to the General Assembly at its seventy-third session, including for the high-level plenary meeting referred to in paragraph 14 above;

[10] Resolution 53/144, annex.

19. *Requests* all concerned United Nations system entities and organizations, within their mandates, to provide all possible assistance and support to the Special Rapporteur for the effective fulfilment of his mandate, including in the context of country visits and through suggestions on ways and means of ensuring the protection of human rights defenders;

20. *Requests* the Special Rapporteur to continue to report annually on his activities to the General Assembly and the Human Rights Council, in accordance with the mandate;

21. *Decides* to remain seized of the matter.

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Third Committee

Agenda item 72 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Argentina, Australia, Canada, Chile, Colombia, Dominican Republic, Georgia, Honduras, Hungary, Iceland, Ireland, Lebanon, Liberia, Liechtenstein, Mexico, Monaco, Morocco, New Zealand, Norway, Panama, Sri Lanka, Switzerland, Tunisia and Vanuatu: revised draft resolution

Twentieth anniversary and promotion of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms[1]

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the Universal Declaration of Human Rights,[2] the International Covenants on Human Rights[3] and other relevant instruments,

Recalling its resolution 53/144 of 9 December 1998, by which it adopted by consensus the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms,

Recalling also all its other previous resolutions on this subject, including its resolutions 66/164 of 19 December 2011, 68/181 of 18 December 2013 and 70/161 of 17 December 2015, and Human Rights Council resolutions 22/6 of 21 March 2013,[4] 31/32 of 24 March 2016[5] and 34/5 of 23 March 2017,[6]

[1] Commonly referred to as the Declaration on human rights defenders.

[2] Resolution 217 A (III).

[3] Resolution 2200 A (XXI), annex.

[4] See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. IV, sect. A.

[5] Ibid., *Seventy-first Session* (A/71/53), chap. IV, sect. A.

[6] Ibid., *Seventy-second Session* (A/72/53), chap. IV, sect. A.

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Reiterating that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated and should be promoted and implemented in a fair and equitable manner, without prejudice to the implementation of each of those rights and freedoms,

Reaffirming that States have the primary responsibility and are under the obligation to respect, promote and protect all human rights and fundamental freedoms of all persons,

Stressing, in this regard, that all human rights and fundamental freedoms apply to all persons equally, including human rights defenders in the context of the Declaration, and that these rights and freedoms must be respected, protected and fulfilled without discrimination,

Reaffirming the importance of the Declaration and its implementation, and that promoting respect and support for the activities of human rights defenders is essential to the overall enjoyment of human rights,

Underscoring the positive, important and legitimate role of human rights defenders in promoting and advocating the realization of all human rights, at the local, national, regional and international levels, including by engaging with Governments and contributing to the efforts in the implementation of the obligations and commitments of States in this regard,

Welcoming the steps taken by some States to create a safe and enabling environment for the promotion, protection and defence of human rights, and recognizing in this regard the positive efforts by authorities, national human rights institutions where they exist and civil society towards the development and enactment of relevant national policies, laws, programmes and practices,

Recognizing the substantial role that human rights defenders can play in supporting efforts to strengthen conflict prevention, peace and sustainable development, including environmental protection, through dialogue, openness, participation and justice, including by monitoring, reporting on and contributing to the promotion and protection of all civil, political, economic, social and cultural rights, and other rights, including the right to development, and in the context of the implementation of the 2030 Agenda for Sustainable Development,[7]

Gravely concerned by the considerable and increasing number of allegations and communications of a serious nature received by special procedures of the Human Rights Council and other mechanisms on the threats, risks and dangers faced by human rights defenders, including women human rights defenders, online and offline, and the prevalence of impunity for violations and abuses against them in many countries, where they face threats, harassment and attacks and suffer insecurity, including through restrictions on the rights to freedom of opinion, expression, association or peaceful assembly, and the right to privacy, or through abuse of criminal or civil proceedings, or acts of intimidation and reprisal intended to prevent their cooperation with the United Nations and other international bodies in the field of human rights,

Mindful that domestic law and administrative provisions and their application should not hinder but enable the work of human rights defenders, including by avoiding any criminalization, stigmatization, impediments, obstructions or restrictions thereof contrary to the obligations and commitments of States under international human rights law,

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[7] Resolution 70/1.

Underscoring that the legal framework within which human rights defenders work peacefully to promote and protect human rights and fundamental freedoms is that of national legislation consistent with the Charter and international human rights law,

Stressing that, in the exercise of the rights and freedoms referred to in the Declaration, human rights defenders, acting individually and in association with others, shall be subject only to such limitations as are in accordance with applicable international obligations and are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society,

Gravely concerned that, in some instances, national security and counter-terrorism legislation and other measures, such as laws regulating civil society organizations, have been misused to target human rights defenders or have hindered their work and endangered their safety in a manner contrary to international law,

Recognizing the urgent need to address, and to take concrete steps to prevent and stop, the use of legislation to hinder or limit unduly the ability of human rights defenders to exercise their work, including by reviewing and, where necessary, amending relevant legislation and its implementation in order to ensure compliance with international human rights law,

Strongly reaffirming that everyone has the right, individually and in association with others, to promote and strive for the protection and realization of human rights and fundamental freedoms at the national and international levels, as laid out in the Declaration, and, in view of the twentieth anniversary of the Declaration, encouraging leaders in all sectors of society and in their respective communities, including political, military, social and religious leaders and leaders in business and the media, to express public support for human rights defenders in society, including women human rights defenders, and in cases of threat, harassment, violence, discrimination, racism and other violations and abuses committed against them, including killings, to take a clear stance in rejection of such practices and offences,

1. *Stresses* that the right of everyone to promote and strive for the protection and realization of human rights and fundamental freedoms without retaliation or fear thereof is an essential element in building and maintaining sustainable, open and democratic societies;

2. *Calls upon* all States to take all measures necessary to ensure the rights and safety of all persons, including human rights defenders, who exercise the rights to freedom of opinion, expression, peaceful assembly and association, which are essential for the promotion and protection of human rights;

3. *Welcomes* the work and takes note of the report of the Special Rapporteur of the Human Rights Council on the situation of human rights defenders,[5] and also takes note of the report of the Secretary-General on cooperation with the United Nations, its representatives and mechanisms in the field of human rights;[6]

4. *Urges* States to acknowledge through public statements, policies, programmes or laws the important and legitimate role of individuals, groups and organs of society, including human rights defenders, in the promotion of all human rights, democracy and the rule of law as essential components of ensuring their recognition and protection, including by duly investigating and condemning

[5] A/72/170.

[6] A/HRC/34/31.

publicly all cases of violence and discrimination against human rights defenders, including women human rights defenders, underlining that such practices can never be justified;

5. *Encourages* partnerships and collaboration between States, national human rights institutions, civil society and other stakeholders in promoting, protecting and realizing all human rights and fundamental freedoms, including through consultative bodies, focal points within the public administration, national human rights mechanisms for reporting or follow-up, or measures aimed at enhancing the recognition in society of the valuable role played by human rights defenders, while fully recognizing the importance of the independent voice of human rights defenders and other civil society actors;

6. *Underlines* the value of national human rights institutions, established and operating in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles),[10] in the continued engagement with human rights defenders and in the monitoring of existing legislation and consistently informing the State about its impact on the activities of human rights defenders, including by making relevant and concrete recommendations;

7. *Strongly condemns* the violence against and the targeting, criminalization, intimidation, torture, disappearance and killing of any individuals, including human rights defenders, for reporting and seeking information on human rights violations and abuses, and stresses the need to combat impunity by ensuring that those responsible for violations and abuses against human rights defenders, including against their legal representatives, associates and family members, are promptly brought to justice through impartial investigations;

8. *Condemns* all acts of intimidation and reprisal by State and non-State actors against individuals, groups and organs of society, including against human rights defenders and their legal representatives, associates and family members, who seek to cooperate, are cooperating or have cooperated with subregional, regional and international bodies, including the United Nations, its representatives and mechanisms, in the field of human rights, and strongly calls upon all States to give effect to the right of everyone, individually and in association with others, to unhindered access to and communication with international bodies, including the United Nations, its special procedures, the universal periodic review mechanism and the treaty bodies, as well as regional human rights mechanisms;

9. *Calls upon* States to take concrete steps to prevent and put an end to arbitrary arrest and detention, including of human rights defenders, and in this regard strongly urges the release of persons detained or imprisoned, in violation of the obligations and commitments of States under international human rights law, for exercising their human rights and fundamental freedoms, such as the rights to freedom of expression, peaceful assembly and association, including in relation to cooperation with the United Nations or other international mechanisms in the area of human rights;

10. *Strongly reaffirms* the urgent need to respect, protect, facilitate and promote the work of those promoting and defending economic, social and cultural rights, as a vital factor contributing towards the realization of those rights, including as they relate to environmental, land and indigenous issues and business activity, as well as development, including through corporate accountability;

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[10] Resolution 48/134, annex.

11. *Continues to express particular concern* about systemic and structural discrimination and violence faced by women human rights defenders of all ages, and reiterates its strong call upon States to take appropriate, robust and practical steps to protect women human rights defenders and to integrate a gender perspective into their efforts to create a safe and enabling environment for the defence of human rights, as called for by the General Assembly in its resolution 68/181;

12. *Urges* non-State actors, including transnational corporations and other business enterprises, to respect, promote and strive for the protection of the human rights and fundamental freedoms of all persons, including human rights defenders, and underlines the need to ensure human rights due diligence and the accountability of, and the provision of adequate remedies by, transnational corporations and other business enterprises, while also urging States to adopt relevant policies and laws in this regard, including to hold all companies to account for involvement in threats or attacks against human rights defenders;

13. *Welcomes* the steps taken by some States to promote and give effect to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms,[11] as well as by the United Nations High Commissioner for Human Rights and some regional organizations in making the Declaration available and known to all stakeholders at the national and local levels, in their respective languages, and underlines the need to promote and give full and appropriate effect to the Declaration;

14. *Decides* to devote a high-level plenary meeting of the General Assembly at its seventy-third session, in 2018, within existing resources, to the twentieth anniversary of the adoption of the Declaration, with a view to giving impetus to its promotion in all regions, and requests the President of the General Assembly to conduct consultations with Member States in order to determine the modalities for that meeting;

15. *Encourages* all parts of the international community, in view of the twentieth anniversary of the Declaration, including States, national human rights institutions, the Office of the United Nations High Commissioner for Human Rights and the Special Rapporteur on the situation of human rights defenders, in cooperation with relevant parts of the United Nations system, relevant regional organizations and civil society actors, to initiate and take part in awareness-raising activities at the local, national, regional and international levels, to promote and support the Declaration and its implementation, invites all stakeholders to report thereon to the General Assembly at its seventy-third session, and requests the Office of the High Commissioner to make a compilation thereof available for the high-level plenary meeting referred to in paragraph 14 above;

16. *Requests* the Secretary-General, in view of the twentieth anniversary of the Declaration, to undertake a comprehensive assessment and analysis of progress, achievements and challenges related to the ways in which the Office of the High Commissioner, as well as other relevant United Nations offices and departments and relevant specialized agencies, including at the country level, within their respective mandates, give and can give due consideration to the Declaration and take into account the reports of the Special Rapporteur in their work, and assist States in strengthening the role and security of human rights defenders as called for by the General Assembly in its resolutions 62/152 of 18 December 2007, 64/163 of 18 December 2009, 66/164, 68/181 and 70/161, recognizing that technical assistance

[11] Resolution 53/144, annex.

and capacity-building are to be provided in consultation with, and with the consent of, the Member States concerned;

17. *Also requests* the Secretary-General to undertake his assessment and analysis in cooperation with the Special Rapporteur and in consultation with States, other relevant special procedures mandate holders, relevant treaty bodies, relevant United Nations offices and departments and relevant specialized agencies, including at the country level, as well as national human rights institutions and civil society, and to present the results of this assessment and analysis in a report to the General Assembly at its seventy-third session,[12] containing conclusions and recommendations for effective technical assistance and capacity-building, including good practices thereof and examples of positive impact or change as well as challenges related to the provision of support to States in the implementation of relevant human rights obligations and commitments;

18. *Requests* all concerned United Nations system entities and organizations, within their mandates, to provide all possible assistance and support to the Special Rapporteur for the effective fulfilment of his mandate, including in the context of country visits and through suggestions on ways and means of ensuring the protection of human rights defenders;

19. *Requests* the Special Rapporteur to continue to report annually on his activities to the General Assembly and the Human Rights Council, in accordance with the mandate;

20. *Decides* to remain seized of the matter.

[12] Including a presentation for the high-level plenary meeting referred to in paragraph 14.

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Agenda item 72 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Argentina, Austria, Chile, Cyprus, Czechia, Finland, Germany, Guatemala, Hungary, Japan, Liechtenstein, Luxembourg, Monaco, Romania, Slovenia and Switzerland: draft resolution

Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The General Assembly,

Recalling its resolution 47/135 of 18 December 1992, by which it adopted the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities annexed to that resolution, and bearing in mind article 27 of the International Covenant on Civil and Political Rights[1] as well as other relevant existing international and regional standards and national legislation,

Recalling also its subsequent resolutions on the effective promotion of the Declaration, and all relevant resolutions of the Human Rights Council,

Affirming that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities and dialogue between these minorities and the rest of society, as well as the constructive and inclusive development of practices and institutional arrangements to accommodate diversity within societies, contribute to political and social stability and the prevention and peaceful resolution of conflicts involving the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Welcoming the adoption of the 2030 Agenda for Sustainable Development,[2] of which the Addis Ababa Action Agenda of the Third International Conference on Financing for Development[3] is an integral part, recalling that the Sustainable Development Goals and targets seek to realize the human rights of all, and stressing

[1] See resolution 2200 A (XXI), annex.
[2] Resolution 70/1.
[3] Resolution 69/313, annex.

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the need for Member States to integrate the 2030 Agenda into their respective national policies and development frameworks, as appropriate, to promote the effective implementation, follow-up and review of the 2030 Agenda, in order to ensure that no one is left behind,

Expressing concern at the frequency and severity of disputes and conflicts involving persons belonging to national or ethnic, religious and linguistic minorities in many countries and their often tragic consequences, and that such persons often suffer disproportionately from the effects of conflicts resulting in the violation of their human rights and are particularly vulnerable to displacement through, inter alia, population transfers, revocation of previously held identity documents, refugee flows and forced relocation,

Emphasizing the need for reinforced efforts to realize the rights of persons belonging to national or ethnic, religious and linguistic minorities, including by addressing economic and social conditions and marginalization, as well as to end any type of discrimination against them, including by addressing multiple, aggravated and intersecting forms of discrimination,

Emphasizing also the fundamental importance of human rights education, training and learning as well as of dialogue, including intercultural and interfaith dialogue, and interaction among all relevant stakeholders and members of society on the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Affirming that the twenty-fifth anniversary of the adoption of the Declaration offers an important opportunity to intensify efforts to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, including by taking stock of, and sharing among States and other stakeholders information on, the achievements, best practices and challenges with regard to the implementation of the Declaration, the diverse ways in which it has been used and implemented in practice at the local, national, regional and international levels and the impact that it has had on national legislation, policies and practices and institutional mechanisms and their activities and programmes to advance the rights of persons belonging to national or ethnic, religious and linguistic minorities, as well as the effect that it has had on the ground,

Emphasizing the important role that national institutions, the United Nations and its specialized agencies and other relevant organizations, as well as the Special Rapporteur of the Human Rights Council on minority issues, play in the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities by, inter alia, promoting the implementation of the Declaration,

1. *Reaffirms* the obligation of States to ensure that persons belonging to national or ethnic, religious and linguistic minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law, as proclaimed in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,[4] and draws attention to the relevant provisions of the Durban Declaration and Programme of Action,[5] including the provisions on forms of multiple discrimination;

2. *Urges* States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration, including through the encouragement of conditions for the promotion of their identity, the provision of adequate education and the

[4] Resolution 47/135, annex.

[5] See A/CONF.189/12 and Corr.1, chap. I.

facilitation of their participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development of their country, without discrimination, and to apply a gender perspective while doing so;

3. *Urges* States to take all appropriate measures, inter alia, constitutional, legislative, administrative and other measures, for the promotion and implementation of the Declaration, and appeals to States to cooperate bilaterally and multilaterally, in particular on the exchange of best practices and lessons learned, in accordance with the Declaration, in order to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities;

4. *Recommends* that States use the twenty-fifth anniversary of the Declaration as an opportunity to reflect on current and emerging challenges facing persons belonging to national or ethnic, religious and linguistic minorities, including the rise in persecution on religious and ethnic grounds and increasing levels of hate crimes and hate speech targeting, among others, persons belonging to national or ethnic, religious and linguistic minorities;

5. *Also recommends* that States ensure that all measures taken with a view to implementing the Declaration are, to the fullest extent possible, developed, designed, implemented and reviewed with the full, effective and equal participation of persons belonging to national or ethnic, religious and linguistic minorities;

6. *Calls upon* States to give special attention to the situation and specific needs of women, children, older persons and persons with disabilities belonging to minorities while promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities;

7. *Recommends* that States and other relevant actors ensure to the fullest extent possible that the Declaration is translated into all minority languages and disseminated widely;

8. *Expresses its appreciation* for the successful completion, in November 2016, of the ninth session of the Forum on Minority Issues, on the theme "Minorities in situations of humanitarian crises", which, through the widespread participation of stakeholders, provided an important platform for the promotion of dialogue on this topic and, as part of its outcome, produced recommendations to prevent crises and the disproportionate effect of crises on minorities, promote a minority rights-based approach during crises and ensure durable solutions for minorities after crises,[6] and encourages States to take into consideration the relevant recommendations of the Forum;

9. *Calls upon* States, while bearing in mind the theme of the ninth session of the Forum and with a view to enhancing the implementation of the Declaration and ensuring the realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, to take appropriate measures by, inter alia:

(a) Removing any provision in law or in practice that discriminates against persons belonging to national or ethnic, religious and linguistic minorities and which may render them vulnerable;

(b) Preventing any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, including by adopting measures to criminalize incitement to violence based on nationality, race, religion or belief, while respecting all internationally recognized human rights and fundamental freedoms;

[6] A/HRC/34/68.

(c) Developing effective and adequate disaster risk reduction programmes that include measures to enhance the preparedness of potentially affected populations and, where necessary, address the specific needs of persons belonging to national or ethnic, religious and linguistic minorities;

(d) Ensuring that protection responses are participatory, non-discriminatory and sensitive to the specific needs of persons belonging to national or ethnic, religious and linguistic minorities;

(e) Ensuring the restitution or reissuance of identity documents to persons belonging to national or ethnic, religious and linguistic minorities after a humanitarian crisis, including documents such as birth certificates or nationality documentation, so that the risk of statelessness is prevented;

(f) Ensuring that persons belonging to national or ethnic, religious and linguistic minorities affected by displacement are adequately included in any durable solution, strategy or displacement-focused policy developed following the displacement of a population;

10. *Also calls upon* States to integrate the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, as well as effective non-discrimination and equality for all, into strategies for the prevention and resolution of conflicts involving these minorities, while ensuring their full and effective participation in the design, implementation and evaluation of such strategies;

11. *Welcomes* the report of the Secretary-General on the effective promotion of the Declaration[7] and the reports of the Special Rapporteur of the Human Rights Council on minority issues, and their special focus on the human rights of persons belonging to national or ethnic, religious and linguistic minorities in situations of humanitarian crises[8] and on main concerns and recommendations set out in all thematic reports of the past six years;[9]

12. *Commends* the Special Rapporteur on minority issues for the work that has been done and the important role played in raising the level of awareness of and in giving added visibility to the rights of persons belonging to national or ethnic, religious and linguistic minorities;

13. *Calls upon* all States to cooperate with and assist the Special Rapporteur in the performance of the tasks and duties mandated to him, to provide him with all the necessary information requested and to seriously consider responding promptly and favourably to the requests of the Special Rapporteur to visit their countries in order to enable him to fulfil his duties effectively;

14. *Encourages* the specialized agencies, regional organizations, national human rights institutions and non-governmental organizations to develop regular dialogue and cooperation with the mandate holder as well as to continue to contribute to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities;

15. *Calls upon* the United Nations High Commissioner for Human Rights to continue to promote, within his mandate, the implementation of the Declaration, and to engage in a dialogue with Governments for that purpose and regularly update and disseminate widely the United Nations Guide for Minorities;

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[7] A/72/219.
[8] A/71/254.
[9] A/72/165.

16. *Welcomes* the inter-agency cooperation among United Nations agencies, funds and programmes on minority issues, led by the Office of the United Nations High Commissioner for Human Rights, and urges them to further increase their coordination and cooperation by, inter alia, developing policies on the promotion and protection of the rights of persons belonging to minorities, drawing also on relevant outcomes of the Forum and taking into account the work of relevant regional organizations;

17. *Calls upon* the Secretary-General to make available, at the request of Governments concerned, qualified expertise on minority issues, including in the context of the prevention and resolution of disputes and conflicts, to assist in resolving existing or potential situations involving minorities;

18. *Invites* the human rights treaty bodies, as well as special procedures of the Human Rights Council, to continue to give attention, within their respective mandates, to situations and rights of persons belonging to national or ethnic, religious and linguistic minorities and, in this regard, to take into consideration relevant recommendations of the Forum;

19. *Invites* the United Nations mechanisms and bodies, the specialized agencies and regional organizations, within their respective mandates, to continue to contribute to the protection and the prevention of violations of the rights of persons belonging to national or ethnic, religious and linguistic minorities, including by strengthening cooperation in respect of information-gathering and improving the information flow between themselves and with States;

20. *Encourages* regional intergovernmental bodies, within their respective regions, to promote greater attention to the rights of persons belonging to national or ethnic, religious and linguistic minorities by, inter alia, actively raising awareness of and promoting the Declaration in their work, encouraging its implementation at the national level and considering the creation of thematic and/or special mechanisms on this issue;

21. *Encourages* national human rights institutions to pay due attention to the rights of persons belonging to national or ethnic, religious and linguistic minorities, including by monitoring situations of potential threats for persons belonging to national or ethnic, religious and linguistic minorities, and by investigating and reporting, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles)[10] and their respective mandates, episodes of targeted violence against persons belonging to minorities, including, when necessary, to regional and international bodies;

22. *Encourages* civil society, including non-governmental organizations, to promote awareness of the Declaration and to review the extent to which it integrates the rights of persons belonging to national or ethnic, religious and linguistic minorities and the Declaration into its work, as well as to inform persons belonging to national or ethnic, religious and linguistic minorities about their rights;

23. *Requests* the Special Rapporteur to report annually to the General Assembly and include recommendations for effective strategies for the better implementation of the rights of persons belonging to national or ethnic, religious and linguistic minorities;

24. *Requests* the Secretary-General to submit to the General Assembly at its seventy-fourth session a report on the implementation of the present resolution, including information on activities undertaken by Member States, the Office of the

[10] Resolution 48/134, annex.

High Commissioner, the Special Rapporteur on minority issues, relevant United Nations entities and other relevant stakeholders to enhance the implementation of the Declaration and to ensure the realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, and an analysis of the international legal and institutional framework for the protection of the rights of all persons belonging to national or ethnic, religious and linguistic minorities;

25. *Decides* to continue consideration of the question at its seventy-fourth session under the item entitled "Promotion and protection of human rights".

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Seventy-second session
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Agenda item 72 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Antigua and Barbuda, Argentina, Australia, Austria, Chile, Cyprus, Czechia, El Salvador, Estonia, Ethiopia, Finland, Georgia, Germany, Guatemala, Hungary, Italy, Japan, Liechtenstein, Luxembourg, Mexico, Monaco, Poland, Romania, Slovenia, Switzerland, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland and United States of America: revised draft resolution

Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The General Assembly,

Recalling its resolution 47/135 of 18 December 1992, by which it adopted the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities annexed to that resolution, and bearing in mind article 27 of the International Covenant on Civil and Political Rights[1] as well as other relevant existing international and regional standards and national legislation,

Recalling also its subsequent resolutions on the effective promotion of the Declaration, and all relevant resolutions of the Human Rights Council,

Affirming that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities and dialogue between these minorities and the rest of society, as well as the constructive and inclusive development of practices and institutional arrangements to accommodate diversity within societies, contribute to political and social stability and the prevention and peaceful resolution of conflicts involving the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Welcoming the adoption of the 2030 Agenda for Sustainable Development,[2] of which the Addis Ababa Action Agenda of the Third International Conference on

* Reissued for technical reasons on 13 November 2017.

[1] See resolution 2200 A (XXI), annex.

[2] Resolution 70/1.

Please recycle

Financing for Development[1] is an integral part, recalling that the Sustainable Development Goals and targets seek to realize the human rights of all, and stressing the need for Member States to integrate the 2030 Agenda into their respective national policies and development frameworks, as appropriate, to promote the effective implementation, follow-up and review of the 2030 Agenda, in order to ensure that no one is left behind,

Expressing concern at the frequency and severity of disputes and conflicts involving persons belonging to national or ethnic, religious and linguistic minorities in many countries and their often tragic consequences, and that such persons often suffer disproportionately from the effects of conflicts resulting in the violation of their human rights and are particularly vulnerable to displacement through, inter alia, population transfers, revocation of previously held identity documents, refugee flows and forced relocation,

Emphasizing the need for reinforced efforts to realize the rights of persons belonging to national or ethnic, religious and linguistic minorities, including by addressing economic and social conditions and marginalization, as well as to end any type of discrimination against them, including by addressing multiple, aggravated and intersecting forms of discrimination,

Emphasizing also the fundamental importance of human rights education, training and learning as well as of dialogue, including intercultural and interfaith dialogue, and interaction among all relevant stakeholders and members of society on the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Recognizing the importance of realizing the right to education for all and, wherever possible, providing persons belonging to national or ethnic, religious and linguistic minorities with adequate opportunities to learn their own language or to have instruction in their own language,

Affirming that the twenty-fifth anniversary of the adoption of the Declaration offers an important opportunity to intensify efforts to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, including by taking stock of, and sharing among States and other stakeholders information on, the achievements, best practices and challenges with regard to the implementation of the Declaration, the diverse ways in which it has been used and implemented in practice at the local, national, regional and international levels and the impact that it has had on national legislation, policies and practices and institutional mechanisms and their activities and programmes to advance the rights of persons belonging to national or ethnic, religious and linguistic minorities, as well as the effect that it has had on the ground,

Emphasizing the important role that national institutions can play in the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, and acknowledging the role that the United Nations, its specialized agencies and other relevant organizations, and the Special Rapporteur of the Human Rights Council on minority issues, play in this regard by, inter alia, promoting the implementation of the Declaration,

1. *Reaffirms* the obligation of States to ensure that persons belonging to national or ethnic, religious and linguistic minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law, as proclaimed in the Declaration on the Rights of

[1] Resolution 69/313, annex.

Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,[4] and *draws attention* to the relevant provisions of the Durban Declaration and Programme of Action,[5] including the provisions on forms of multiple discrimination;

2. *Urges* States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration, including through the encouragement of conditions for the promotion of their identity, the provision of adequate education and the facilitation of their participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development of their country, without discrimination, and to apply a gender perspective while doing so;

3. *Encourages* States to take appropriate measures so that, wherever possible, persons belonging to national or ethnic, religious and linguistic minorities may have adequate opportunities to learn their own language or to have instruction in their own language;

4. *Urges* States to take all appropriate measures, inter alia, constitutional, legislative, administrative and other measures, for the promotion and implementation of the Declaration, and appeals to States to cooperate bilaterally and multilaterally, in particular on the exchange of best practices and lessons learned, in accordance with the Declaration, in order to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities;

5. *Recommends* that States use the twenty-fifth anniversary of the Declaration as an opportunity to reflect on current and emerging challenges facing persons belonging to national or ethnic, religious and linguistic minorities, including the rise in persecution on religious and ethnic grounds and increasing levels of hate crimes and hate speech targeting, among others, persons belonging to national or ethnic, religious and linguistic minorities;

6. *Also recommends* that States ensure that all measures taken with a view to implementing the Declaration are, to the fullest extent possible, developed, designed, implemented and reviewed with the full, effective and equal participation of persons belonging to national or ethnic, religious and linguistic minorities;

7. *Calls upon* States to take all appropriate measures to ensure the protection of children belonging to national or ethnic, religious and linguistic minorities who are at risk of or have experienced violence, in accordance with the relevant obligations under the Convention on the Rights of the Child,[6] and of women who can be exposed to both gender-based violence and violence on the grounds of their belonging to national or ethnic, religious and linguistic minorities, and to give special attention to the situation and specific needs of older persons and persons with disabilities belonging to national or ethnic, religious and linguistic minorities;

8. *Recommends* that States and other relevant actors ensure to the fullest extent possible that the Declaration is translated into all minority languages and disseminated widely;

9. *Expresses its appreciation* for the successful completion, in November 2016, of the ninth session of the Forum on Minority Issues, on the theme "Minorities in situations of humanitarian crises", which, through the widespread participation of stakeholders, provided an important platform for the promotion of

[4] Resolution 47/135, annex.

[5] See A/CONF.189/12 and Corr.1, chap. I.

[6] United Nations, *Treaty Series*, vol. 1577, No. 27531.

dialogue on this topic and, as part of its outcome, produced recommendations to prevent crises and the disproportionate effect of crises on persons belonging to national or ethnic, religious and linguistic minorities, promote respect for the rights of persons belonging to national or ethnic, religious and linguistic minorities during crises and ensure durable solutions for persons belonging to national or ethnic, religious and linguistic minorities after crises,[7] and encourages States to take into consideration the relevant recommendations of the Forum;

10. *Calls upon* States, while bearing in mind the theme of the ninth session of the Forum and with a view to enhancing the implementation of the Declaration and ensuring the realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, to take appropriate measures by, inter alia:

(a) Reviewing any legislation, policy or practice that has a discriminatory or disproportionately negative effect on persons belonging to national or ethnic, religious and linguistic minorities and which may render them vulnerable, with a view to considering its amendment;

(b) Enhancing efforts to prevent and combat acts of violence specifically targeting persons belonging to national or ethnic, religious and linguistic minorities;

(c) Strongly condemning any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, and adopting and implementing measures to criminalize incitement to imminent violence based on nationality, race, religion or belief, while respecting all internationally recognized human rights and fundamental freedoms;

(d) Developing effective and adequate disaster risk reduction programmes that include measures to enhance the preparedness of potentially affected populations and, where necessary, address the specific needs of persons belonging to national or ethnic, religious and linguistic minorities;

(e) Ensuring that protection responses are participatory, non-discriminatory and sensitive to the specific needs of persons belonging to national or ethnic, religious and linguistic minorities;

(f) Ensuring the restoration or reissuance of identity documents to persons belonging to national or ethnic, religious and linguistic minorities after a humanitarian emergency, including documents such as birth certificates or nationality documentation, so that the risk of statelessness is prevented;

(g) Ensuring that persons belonging to national or ethnic, religious and linguistic minorities affected by displacement are adequately included, on an equal basis with other persons affected, in any durable solution, strategy or displacement-focused policy developed following the displacement of a population;

11. *Also calls upon* States to integrate the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, as well as effective non-discrimination and equality for all, into strategies for the prevention and resolution of conflicts involving these minorities, while ensuring their full and effective participation in the design, implementation and evaluation of such strategies;

12. *Takes note* of the report of the Secretary-General on the effective promotion of the Declaration[8] and the reports of the Special Rapporteur of the Human Rights Council on minority issues, and their special focus on minorities in

[7] A/HRC/34/68.

[8] A/72/219.

situations of humanitarian crises[9] and on main concerns and recommendations from all thematic reports;[10]

13. *Commends* the Special Rapporteur on minority issues for the work that has been done and the important role played in raising the level of awareness of and in giving added visibility to the rights of persons belonging to national or ethnic, religious and linguistic minorities;

14. *Calls upon* all States to cooperate with and assist the Special Rapporteur in the performance of the tasks and duties mandated to him, to provide him with all the necessary information requested and to seriously consider responding promptly and favourably to the requests of the Special Rapporteur to visit their countries in order to enable him to fulfil his duties effectively;

15. *Encourages* the specialized agencies, regional organizations, national human rights institutions and non-governmental organizations to develop regular dialogue and cooperation with the mandate holder as well as to continue to contribute to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities;

16. *Calls upon* the United Nations High Commissioner for Human Rights to continue to promote, within his mandate, the implementation of the Declaration, and to engage in a dialogue with Governments for that purpose and regularly update and disseminate widely the United Nations Guide for Minorities;

17. *Welcomes* the inter-agency cooperation among United Nations agencies, funds and programmes on minority issues, led by the Office of the United Nations High Commissioner for Human Rights, and urges them to further increase their coordination and cooperation by, inter alia, developing policies on the promotion and protection of the rights of persons belonging to minorities, drawing also on relevant outcomes of the Forum and taking into account the work of relevant regional organizations;

18. *Calls upon* the Secretary-General to make available, at the request of Governments concerned, qualified expertise on minority issues, including in the context of the prevention and resolution of disputes and conflicts, to assist in resolving existing or potential situations involving minorities;

19. *Invites* the human rights treaty bodies, as well as special procedures of the Human Rights Council, to continue to give attention, within their respective mandates, to situations and rights of persons belonging to national or ethnic, religious and linguistic minorities and, in this regard, to take into consideration relevant recommendations of the Forum;

20. *Invites* the United Nations mechanisms and bodies, the specialized agencies and regional organizations, within their respective mandates, to continue to contribute to the protection and the prevention of violations of the rights of persons belonging to national or ethnic, religious and linguistic minorities, including by strengthening cooperation in respect of information-gathering and improving the information flow between themselves and with States;

21. *Encourages* regional intergovernmental bodies, within their respective regions, to promote greater attention to the rights of persons belonging to national or ethnic, religious and linguistic minorities by, inter alia, actively raising awareness of and promoting the Declaration in their work, encouraging its implementation at

[9] A/71/254.
[10] A/72/165.

the national level and considering the creation of thematic and/or special mechanisms on this issue;

22. Encourages national human rights institutions to pay due attention to the rights of persons belonging to national or ethnic, religious and linguistic minorities, including by monitoring situations of potential threats for persons belonging to national or ethnic, religious and linguistic minorities, and by investigating and reporting, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles)[11] and their respective mandates, episodes of targeted violence against persons belonging to minorities, including, when necessary, to regional and international bodies;

23. *Encourages* civil society, including non-governmental organizations, to promote awareness of the Declaration and to review the extent to which it integrates the rights of persons belonging to national or ethnic, religious and linguistic minorities and the Declaration into its work, as well as to inform persons belonging to national or ethnic, religious and linguistic minorities about their rights;

24. *Requests* the Special Rapporteur to report annually to the General Assembly and include recommendations for effective strategies for the better implementation of the rights of persons belonging to national or ethnic, religious and linguistic minorities;

25. *Requests* the Secretary-General to submit to the General Assembly at its seventy-fourth session a report on the implementation of the present resolution, including information on activities undertaken by Member States, the Office of the High Commissioner, the Special Rapporteur on minority issues, relevant United Nations entities and other relevant stakeholders to enhance the implementation of the Declaration and to ensure the realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, with a focus on the international legal and institutional framework for the protection of the rights of all persons belonging to national or ethnic, religious and linguistic minorities;

26. *Decides* to continue consideration of the question at its seventy-fourth session under the item entitled "Promotion and protection of human rights".

[11] Resolution 48/134, annex.

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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Democratic People's Republic of Korea and Egypt: draft resolution

Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations, and expressing, in particular, the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights,[1] as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2] the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[3] the outcome document of the Durban Review Conference adopted on 24 April 2009,[4] and the political declaration of the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, entitled "United against racism, racial discrimination, xenophobia and related intolerance", of 22 September 2011,[5]

Recalling also the International Covenant on Civil and Political Rights[6] and the International Covenant on Economic, Social and Cultural Rights,[6]

[1] Resolution 217A (III).
[2] A/CONF.157/24 (Part I), chap. III.
[3] See A/CONF.189/12 and Corr.1, chap. I.
[4] See A/CONF.211/8, chap. I.
[5] Resolution 66/3.
[6] See resolution 2200 A (XXI), annex.

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Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Recalling the United Nations Millennium Declaration[7] and the outcome documents of the twenty-third[8] and twenty-fourth[9] special sessions of the General Assembly, held in New York from 5 to 10 June 2000 and in Geneva from 26 June to 1 July 2000, respectively,

Recalling also its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",

Recalling further its resolutions 66/154 of 19 December 2011, 67/165 of 20 December 2012, 68/168 of 18 December 2013, 69/173 of 18 December 2014, 70/159 of 17 December 2015 and 71/197 of 19 December 2016,

Recalling Commission on Human Rights resolution 2005/17 of 14 April 2005 on globalization and its impact on the full enjoyment of all human rights,[10]

Recalling also Human Rights Council resolutions 21/5 of 27 September 2012[11] on the contribution of the United Nations system as a whole to the advancement of the business and human rights agenda and the dissemination and implementation of the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework,[12] 26/9 of 26 June 2014[13] on the elaboration of an international legally binding instrument on transnational corporations and other business enterprises with respect to human rights, and 26/22 of 27 June 2014[13] on human rights and transnational corporations and other business enterprises,

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, inter alia, in the field of human rights,

Realizing also that globalization is not merely an economic process, but that it also has social, political, environmental, cultural and legal dimensions, which have an impact on the full enjoyment of all human rights and fundamental freedoms,

Emphasizing the need to fully implement the global partnership for development and enhance the momentum generated by the 2005 World Summit in order to operationalize and implement the commitments made in the outcomes of the major United Nations conferences and summits, including the 2005 World Summit, in the economic, social and related fields, and reaffirming in particular the commitment contained in paragraphs 19 and 47 of the 2005 World Summit Outcome[14] to promote fair globalization and the development of the productive

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[7] Resolution 55/2.

[8] Resolution S-23/2, annex, and resolution S-23/3, annex.

[9] Resolution S-24/2, annex.

[10] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[11] See *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 53A* (A/67/53/Add.1), chap. III.

[12] A/HRC/17/31, annex.

[13] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. V, sect. A.

[14] Resolution 60/1.

sectors in developing countries to enable them to participate more effectively in and benefit from the process of globalization,

Realizing the need to undertake a thorough, independent and comprehensive assessment of the social, environmental and cultural impact of globalization on societies,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, convinced that, in their rich variety and diversity and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind, and aware of the risk that globalization poses more of a threat to cultural diversity if the developing world remains poor and marginalized,

Recognizing also that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

Realizing the need to consider the challenges and opportunities linked to globalization with a view to addressing such challenges and building on possible opportunities in order to achieve the full enjoyment of all human rights,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and the need to protect the human rights of migrants, particularly at a time when migration flows have increased in the globalized economy,

Expressing grave concern at the negative impact of international financial turmoil on social and economic development and on the full enjoyment of all human rights, particularly in the light of the continuing global financial and economic crisis, which may have an adverse impact on the ability of Member States to implement the 2030 Agenda for Sustainable Development, and recognizing that developing countries are in a more vulnerable situation when facing such impact and that regional economic cooperation and development strategies and programmes can play a role in mitigating such impact,

Expressing deep concern at the negative impact of the continuing global food and energy crises and climate change challenges on social and economic development and on the full enjoyment of all human rights for all,

Recognizing that globalization should be guided by the fundamental principles that underpin the corpus of human rights, such as equity, participation, accountability, non-discrimination, transparency, inclusivity and equality at both the national and the international levels, respect for diversity, tolerance and international cooperation and solidarity,

Emphasizing that the existence of widespread extreme poverty inhibits the full realization and effective enjoyment of human rights and that its immediate alleviation and eventual elimination must remain a high priority for the international community,

Acknowledging that there is greater acceptance that the increasing debt burden faced by the most indebted developing countries is unsustainable and constitutes one of the principal obstacles to achieving sustainable development and poverty eradication and that, for many developing countries, excessive debt servicing has severely constrained their capacity to promote social development and to provide basic services to realize economic, social and cultural rights,

Strongly reiterating the determination to ensure the timely and full realization of the sustainable development goals and objectives agreed at the major United Nations conferences and summits, including those agreed at the United Nations

summit for the adoption of the post-2015 development agenda, which aim to galvanize efforts towards poverty eradication,

Gravely concerned at the inadequacy of measures to narrow the widening gap between the developed and the developing countries, and within countries, which has contributed to, inter alia, deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Emphasizing that transnational corporations and other business enterprises have a responsibility to respect all human rights,

Emphasizing also that human beings strive for a world that is respectful of human rights and cultural diversity and that, in this regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Welcomes* the adoption by the Heads of State and Government and High Representatives, meeting at United Nations Headquarters in New York from 25 to 27 September 2015, of the 2030 Agenda for Sustainable Development;[15]

2. *Recognizes* that, while globalization, through its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

3. *Emphasizes* that development should be at the centre of the international economic agenda and that coherence between national development strategies and international obligations and commitments is imperative for an enabling environment for development and an inclusive and equitable globalization;

4. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

5. *Also reaffirms* the commitment to create an environment at both the national and the global levels that is conducive to development and to the eradication of poverty by, inter alia, promoting good governance within each country and at the international level, eliminating protectionism, enhancing transparency in the financial, monetary and trading systems and committing to an open, equitable, rules-based, predictable and non-discriminatory multilateral trading and financial system;

6. *Recognizes* the impacts that the global financial and economic crisis is still having on the ability of countries, particularly developing countries, to mobilize resources for development and to address the impact of this crisis, and in this context calls upon all States and the international community to alleviate, in an inclusive and development-oriented manner, any negative impacts of this crisis on the realization and the effective enjoyment of all human rights;

7. *Also recognizes* that, while globalization offers great opportunities, the fact that its benefits are very unevenly shared and its costs unevenly distributed represents an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

8. *Welcomes* the report of the United Nations High Commissioner for Human Rights on globalization and its impact on the full enjoyment of human rights,[16] which focuses on the liberalization of agricultural trade and its impact on

[15] Resolution 70/1.
[16] E/CN.4/2002/54.

the realization of the right to development, including the right to food, and takes note of the conclusions and recommendations contained therein;

9. *Reaffirms* the international commitment to eliminating hunger and to securing food for all, today and tomorrow, and reiterates that the relevant United Nations organizations should be assured the resources needed to expand and enhance their food assistance and support social safety net programmes designed to address hunger and malnutrition, when appropriate, through the use of local or regional purchase;

10. *Calls upon* Member States, relevant agencies of the United Nations system, intergovernmental organizations and civil society to promote inclusive, equitable and environmentally sustainable economic growth for managing globalization so that poverty is systematically reduced and the international development targets are achieved;

11. *Recognizes* that the responsible operations of transnational corporations and other business enterprises can contribute to the promotion, protection and fulfilment of all human rights and fundamental freedoms, in particular economic, social and cultural rights;

12. *Also recognizes* that only through broad and sustained efforts, including policies and measures at the global level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

13. *Underlines* the urgent need to establish an equitable, transparent and democratic international system to strengthen and broaden the participation of developing countries in international economic decision-making and norm-setting;

14. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights, including the right to development;

15. *Also affirms* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that promotes and protects human rights while ensuring respect for the cultural diversity of all;

16. *Underlines*, therefore, the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights;

17. *Takes note* of the report of the Secretary-General,[17] and requests him to continue to seek further the views of Member States and relevant agencies of the United Nations system and to submit to the General Assembly at its seventy-third session a substantive report on the subject based on those views, including recommendations on ways to address the impact of globalization on the full enjoyment of all human rights.

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[17] A/72/132.

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Argentina, Armenia, Australia, Austria, Bulgaria, Canada, Chile, Cyprus, Finland, France, Germany, Japan, Jordan, Lithuania, Luxembourg, Mauritania, Morocco, Poland, Portugal, Senegal, Sierra Leone, Slovenia, Spain and United Kingdom of Great Britain and Northern Ireland: draft resolution

The role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights

The General Assembly,

Reaffirming its commitment to the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights,[1]

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2] in which the Conference reaffirmed the important and constructive role played by national institutions for the promotion and protection of human rights,

Reaffirming its resolutions 65/207 of 21 December 2010, 67/163 of 20 December 2012, 69/168 of 18 December 2014 and 71/200 of 19 December 2016 on the role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights,

Recalling the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), welcomed by the General Assembly in its resolution 48/134 of 20 December 1993 and annexed thereto,

Reaffirming its previous resolutions on national institutions for the promotion and protection of human rights, in particular resolutions 66/169 of 19 December 2011, 68/171 of 18 December 2013 and 70/163 of 17 December 2015, as well as

[1] Resolution 217 A (III).
[2] A/CONF.157/24 (Part I), chap. III.

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Human Rights Council resolutions 23/17 of 13 June 2013,[3] 27/18 of 25 September 2014[4] and 33/15 of 29 September 2016,[5]

Reaffirming also the functional and structural differences between national human rights institutions, on the one hand, and the Ombudsman and mediator institutions, on the other, and underlining in this regard that reports on the implementation of General Assembly resolutions on the role of the Ombudsman, mediator and other national human rights institutions should be stand-alone reports,

Welcoming the rapidly growing interest throughout the world in the creation and strengthening of the Ombudsman, mediator and other national human rights institutions, and recognizing the important role that these institutions can play, in accordance with their mandate, in support of national complaint resolution,

Recognizing the role of the existing Ombudsman, whether a male or female, mediator and other national human rights institutions in the promotion and protection of human rights and fundamental freedoms,

Underscoring the importance of the autonomy and independence of the Ombudsman, mediator and other national human rights institutions, where they exist, in order to enable them to consider all issues related to their fields of competence,

Considering the role of the Ombudsman, mediator and other national human rights institutions in promoting good governance in public administrations, as well as improving their relations with citizens, and in strengthening the delivery of public services,

Considering also the important role of the existing Ombudsman, mediator and other national human rights institutions in contributing to the effective realization of the rule of law and respect for the principles of justice and equality,

Stressing that these institutions, where they exist, can play an important role in advising Governments with respect to bringing national legislation and national practices into line with their international human rights obligations,

Stressing also the importance of international cooperation in the field of human rights, and recalling the role played by regional and international associations of the Ombudsman, mediator and other national human rights institutions in promoting cooperation and sharing best practices,

Noting with satisfaction the active work of the Association of Mediterranean Ombudsmen and the active continuing work of the Ibero-American Federation of Ombudsmen, the Association of Ombudsmen and Mediators of la Francophonie, the Asian Ombudsman Association, the African Ombudsman and Mediators Association, the Arab Ombudsman Network, the European Mediation Network Initiative, the International Ombudsman Institute and other active ombudsman and mediator associations and networks,

1. *Takes note* of the report of the Secretary-General;[6]

2. *Encourages* Member States:

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[3] See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. V, sect. A.

[4] Ibid., *Sixty-ninth Session, Supplement No. 53A* and corrigenda (A/69/53/Add.1 and A/69/53/Add.1/Corr.1 and A/69/53/Add.1/Corr.2), chap. IV, sect. A.

[5] Ibid., *Seventy-first Session, Supplement No. 53* and corrigendum (A/71/53/Add.1 and A/71/53/Add.1/Corr.1), chap. II.

[6] A/72/230.

(a) To consider the creation or the strengthening of independent and autonomous ombudsman, mediator and other national human rights institutions at the national and, where applicable, the local level;

(b) To endow ombudsman, mediator and other national human rights institutions, where they exist, with an adequate constitutional and legislative framework, as well as financial and all other appropriate means in order to ensure the efficient and independent exercise of their mandate and to strengthen the legitimacy and credibility of their actions as mechanisms for the promotion and protection of human rights;

(c) To give due consideration to the Paris Principles[1] when assigning the Ombudsman, mediator or other national human rights institutions the role of national preventive mechanisms and national monitoring mechanisms;

(d) To develop and conduct, as appropriate, outreach activities at the national level, in collaboration with all relevant stakeholders, in order to raise awareness of the important role of the Ombudsman, mediator and other national human rights institutions;

(e) To share and exchange best practices on the work and functioning of their Ombudsman, mediator and other national human rights institutions, in collaboration with the Office of the United Nations High Commissioner for Human Rights and with the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights and other international and regional ombudsman organizations;

3. *Recognizes* that, in accordance with the Vienna Declaration and Programme of Action,[2] it is the right of each State to choose the framework for national institutions, including the Ombudsman, mediator and other national human rights institutions, which is best suited to its particular needs at the national level, in order to promote human rights in accordance with international human rights instruments;

4. *Welcomes* the active participation of the Office of the High Commissioner in all international and regional meetings of the Ombudsman, mediator and other national human rights institutions;

5. *Encourages* the Office of the High Commissioner, through its advisory services, to develop and support activities dedicated to the existing Ombudsman, mediator and other national human rights institutions and to strengthen their role within national systems for human rights protection;

6. *Encourages* the Ombudsman, mediator and other national human rights institutions, where they exist:

(a) To operate, as appropriate, in accordance with the Paris Principles and other relevant international instruments, in order to strengthen their independence and autonomy and to enhance their capacity to assist Member States in the promotion and protection of human rights;

(b) To request, in cooperation with the Office of the High Commissioner, their accreditation by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, in order to enable them to interact effectively with the relevant human rights bodies of the United Nations system.

[1] Resolution 48/134, annex.

(c) To cooperate with relevant State bodies and develop cooperation with civil society organizations;

(d) To conduct awareness-raising activities on their roles and functions, in collaboration with all relevant stakeholders;

(e) To engage with the International Ombudsman Institute, the Global Alliance of National Human Rights Institutions and other regional networks and associations with a view to exchanging experiences, lessons learned and best practices;

7. *Requests* the Secretary-General to report to the General Assembly at its seventy-fifth session on the implementation of the present resolution, in particular on the obstacles encountered by States in this regard, as well as on best practices in the work and functioning of the Ombudsman, mediator and other national human rights institutions.